

A PROCESS FOR EXPLORING CONGREGATIONAL MERGER:
HOW TO GENTLE WILD HORSES

by
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A final project report submitted in partial fulfillment
of the requirements for the Doctor of Ministry degree
at Hartford Seminary

April 2020

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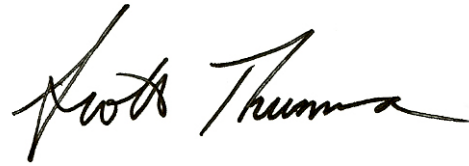
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D.MIN. FINAL PROJECT REPORT

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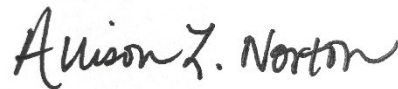
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ABSTRACT

Due to changes in religious participation trends in the United States, and in particular in the New England region, many United Church of Christ congregations are experiencing decline. The purpose of this project is to assist congregations in responding to this change by offering a five-stage process by which two or more congregations may explore collaboration. The project assists United Church of Christ congregations in New England in several ways: increases awareness of how their historical context, current context, and denominational polity affect collaboration discussions; identifies seven potential challenges to pursuing congregational collaboration; and explores the dual nature of collaboration discussions as both relational and transactional. Included in the work are reviews of pertinent literature regarding congregation collaboration, non-profit merger and acquisition legal resources, and two New England-specific case studies undertaken by the author. The doctoral thesis culminates with a recommended process, broken down into Education, Exploration, Preparation, Negotiation and Culmination stages, that includes mechanisms by which congregations can clarify their vision, identity and mission; assess congregation institutional health; determine suitability of potential cooperative partners; conduct healthy negotiation of collaborative agreements, up to and including, merger; and prepare for the birth of a new congregation entity. Although written primarily for United Church of Christ congregations in New England, the analysis can be potentially adapted to congregations in other denominations and regions as well.

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Dedicated to my husband, William G. Madsen, and our children, Trey and Claire,
who have supported and loved me through the many years of scholarly study in
fulfillment of my childhood dream.

In loving memory of my parents, Milton J. Fischer and Erma Springstroh Fischer, who
although unable to attain higher education for themselves, instilled in their five children a
commitment to learning and the perseverance required to achieve a goal.

Dearest One,
Our journey is uncertain.
Help us to remember that certainty
is the opposite of Faith.
Grant us the wisdom to use
the energy of our wild horses,
calmly and patiently,
for they have the power to pull us to our destination.
Grant us the hope that our cart,
although well-traveled,
has the fortitude to carry us through.
Grant us the strength to seek help as we need,
for this journey may be a wearying one.
Let us make room on our way for baggage,
as we all have some we may need to check.
Help us to keep closest,
our deepest hope,
to Fill the World with Your Love.
Amen

- Heather Sinon, Nov. 12, 2019

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Additionally, there were several persons experienced in church mergers in various contexts who were willing to speak with me. In particular I would like to thank Rev. Jim Tomberlin, Rev. Sarai Rice and Attorney Heather Kimmel, General Counsel of the United Church of Christ, for their generosity with their time to have in-depth conversations with me on this topic.

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PREFACE

I was ordained in 2012 by a rural United Church of Christ (UCC) congregation (formerly Congregational) in New England. At that time, I was called as an Associate Minister to another UCC (formerly Congregational) church in the same town. The congregations were historically related. My ordaining congregation had been formed in 1736, while my calling church separated from the original in 1872. I wondered whether God's Spirit was using me as a bridge toward increased unity between the two congregations.

As discussions began around deepening collaboration between the two congregations in 2016, I reflected on the fact that my prior education, training and experience as an attorney and Administrative Law Judge might be a useful resource. Accordingly, I determined that pursuing my Doctor of Ministry degree, and focusing my energy and research on multi-church collaboration and merger, would be one way in which I could most fully live into my call to ordained ministry in this community while synergistically using my legal background.

During the process it became clear that we were undertaking a complicated and dangerous journey. A strong visual occurred to me: A wooden wagon, a few hundred years old that was in various stages of decay and improvement simultaneously. The wagon was pulled by seven wild and difficult to control horses; on the driver's seat were two ministers with four hands on the reigns; in the wagon were the lay leadership and congregants yelling directions and attempting to pull on baggage that was important to each of them; the road ahead was unmarked and full of boulders and logs; and the destination was far in the distance, and rather amorphous--the desire to Fill the World with Love. This project is an attempt to calm the horses, start the journey, and progress steadily toward that goal.

INTRODUCTION

The purpose of my Doctor of Ministry project is to assist congregations in responding to the changing religious landscape and congregational climate through exploring congregational collaboration. The goal of the project is to create an effective collaboration consideration process which United Church of Christ congregations in New England can follow. It is my hope that my research will aid United Church of Christ congregations in New England in several ways: to become aware of their historical context, current context, and denominational polity; highlight potential challenges; acknowledge the complexity of the tasks; and delineate a five-stage process that addresses both the relational issues and the transactional issues involved.

Included in the process are mechanisms by which congregations can clarify their vision, identity and mission; assess congregational institutional health; determine suitability of potential cooperative partners; and prepare for healthy negotiation of collaborative agreements, up to, and including, merger; and prepare for the birth of a new congregation entity. The research for this project included the development and use of surveys, conducting interviews, research of congregation history, support from outside consultants, preparing case studies, and literature review.

This project is relevant to my current ministry setting because, in light of downward trending national church participation and the congregation-specific impact

thereof, the congregation to which I am called has entered into exploratory discussions regarding the advisability and feasibility of collaboration with another congregation. In order to avoid any appearance of impropriety, or undue influence on the deliberations, I did not directly guide the process in any way. I was, however, able to offer suggestions based on my scholarly research to congregation leadership for their consideration. Some of what I had to offer was embraced, while other aspects were considered and rejected.

This arrangement gave me the unique opportunity to observe as the process unfolded. As an observer I was allowed to step back and assess the efficacy of the decisions made by the parties involved. Though it is impossible for me to be entirely unbiased, I have attempted to remain impartial.

The impetus for collaboration and merger discussions, more often than not, stems from a congregation's acknowledgement that it is facing an uncertain future if nothing changes. Thus, congregations are "forced" into considering collaboration, rather than act proactively to engage with other faith communities. This emotion-filled context sets the stage for anxiety, distrust, misunderstanding and hurt feelings between numerous people and institutions.

Although the stakes are high in entering into any such conversation, churches can be hopeful that embarking on this journey can lead them into a deeper understanding of who they are and how to respond to God's call in the current religious landscape. Not only will they attain deeper insight into the nature of their own congregation, and in their potential partner congregation, but they will gain skills and information necessary for effective ministry.

I would like to emphasize to those congregations considering merger that the process should be considered successful regardless of the ultimate decision regarding collaboration, if the congregations gain a deeper understanding and respect for each other. Although it may seem that this is a fairly low bar for success, I offer that it is a high bar indeed. So many forces pull at the parties and the process which threaten to derail the talks and drive wedges in relationships. I believe that the process included in the final chapter of this treatise can help future congregations increase in health as they navigate this dangerous landscape productively and successfully. The results of such collaboration discussions have the potential to reinvigorate the ministry of New England United Church of Christ congregations.

Throughout this doctoral thesis I rely on the metaphor outlined in the preface to give structure to my analysis. It is my intention that by the end, the reader will have gained deeper understanding of the road New England United Church of Christ congregations have traveled up to this point in time; remembered that Christian churches have the special resources of theology and ritual to stabilize the wagon; learned from various experts in faith community collaboration, organizational health, and merger and acquisitions transactions; looked the seven wild horses in the eyes in order to “gentle” them; gotten a lay of the land, discovering that it is both transactional and relational; determined that congregations need support from a legal expert and an independent consultant to guide the wagon through the dual landscape; helped the congregants feel safe in the wagon together and decide what they want to bring along; and helped multiple clergy work in consort as they drive the wagon toward a shared ministry.

CHAPTER 1: DESCRIPTION OF MINISTRY SETTING CONTEXT

Chapter 1 contains the particular context of this study. It is helpful, before commencing any journey, to look behind and see from whence we have come. Although the national context is applicable to all congregations in the United States, there are particular nuances unique to congregations of the United Church of Christ (UCC) in New England that are relevant to this project. The focus of this project is specifically on UCC churches located in New England, that are part of the Congregational lineage which carries deep historic significance in the region.

NATIONAL CONTEXT

It is common knowledge that American Christian congregations are in crisis: they are losing membership, progressively aging and having less impact in their communities. Particularly in the Northeast, which according to recent findings by the Public Religion Research Institute (PRRI) has experienced the greatest losses in numbers of people who

self-identify as white and Christian, churches are closing their doors at a rapid rate.¹ An estimate of 3,500-4,000 churches in the United States close their doors each year.²

The New England States of Vermont, New Hampshire, Maine, Massachusetts and Connecticut all have a higher percentage than the national average (24%) of religiously unaffiliated persons.³ Additionally, all New England States have “unaffiliated” as the highest or second highest “religious” category.⁴ Indeed, nationally, no religious group is larger than those who are unaffiliated from any religious tradition.⁵ According to the Pew Research Center, 22.8% of the US population was unaffiliated in 2014.⁶ Public Religion Research Institute data suggests that has increased slightly to 24% in 2016.⁷

Generational differences can be seen as well. Nationally, nearly two-thirds of persons over 65 identify as white and Christian, while 38% of young adults aged 18-29 identify as unaffiliated.⁸ That data demonstrates a steady increase of religiously

¹ Robert P. Jones and Daniel Cox, “American’s Changing Religious Identity: Findings from the 2016 American Values Atlas: (Washington D.C.: Public Religion Research Institute, 2017), 18.

² Ed Stetzer, sbclife.net, Feb. 2004. 9 January 2018.
<http://www.sbclife.net/Articles/2004/02/SLA4>).

³ Jones, Appendix 1: Top Three Religious Groups in Each State, 42. (24% unaffiliated nationally).

⁴ Ibid.

⁵ Ibid., 11.

⁶ Pew Research Center, Religious Landscape Study, 2014,
<http://www.pewforum.org/religious-landscape-study/#topics-questions>

⁷ Jones, 42.

⁸ Ibid., 11.

unaffiliated persons by generation; from a low among seniors to a high among young adults.⁹

With regard to denominational distribution, the largest protestant denomination nationally is Baptist.¹⁰ Even in the Northeast, nearly a quarter (23.2%) of Protestants are Baptist.¹¹ Of particular interest for this project is the prevalence of the Congregational/UCC denominational family.¹² Nationally, only 1.2% of those affiliated with a Protestant denomination are members of the United Church of Christ (UCC), however the number rises to 3.4% in the Northeast.¹³

Between 2007 and 2014, the number of people who felt religion to be very important or somewhat important in their life fell from 82% to 77%.¹⁴ With just 20% of mainline Protestants highly involved in their congregations, how can churches expect to have an impact on the communities which they purport to serve?¹⁵ Clearly, the trend continues that religion is holding a diminishing sphere of influence in American society.

⁹ Ibid.

¹⁰ Ibid., 14.

¹¹ Ibid.

¹² The United Church of Christ was formed in 1957 from a union of the Congregational Christian Churches, and the Evangelical and Reformed Church. Louis H. Gunnemann, The Shaping of the United Church of Christ (Cleveland, Ohio: United Church Press, 1977), 19.

¹³ Jones, 14.

¹⁴ Pew Research Center, Religious Landscape Study, 2014.
<http://www.pewforum.org/religious-landscape-study/importance-of-religion-in-ones-life/>

¹⁵ Aleksandra Sandstrom and Becka A. Alper, "Church Involvement Varies Widely Among U.S. Christians," Pew Research Center, FactTank, 16 November 2015,
<http://www.pewresearch.org/fact-tank/2015/11/16/charuch-involvement-varies-widely-among-u-s-christians/>

Regardless, however, of the diminishing interest in religion as a whole, according to the Pew Research Center, since the presidential election of 2016 Americans have expressed increasing positive feelings towards all religious groups.¹⁶

NEW ENGLAND CONTEXT

In New England, the history of the Congregational Christian Church is inextricably tied to the history of the Puritans. During the 17th century, the socio-economic and religious pressures in England led to the colonization of New England.¹⁷ It was the hope of the Puritans that in New England they could “purify their churches, supervise one another, and enact a code of laws derived from the Bible.”¹⁸

The Puritan Separatist values and religious freedom desires that led to passengers embarking on the Mayflower in 1620, and the Great Migration in the 1630’s, resulted in the creation of a distinct religious landscape in the Plymouth, Massachusetts Bay, New Hampshire, Rhode Island, New Haven and Connecticut colonies.¹⁹ Rhode Island became a haven for especially radical Puritan Separatists, while conservative puritans

¹⁶ Pew Research Center, Religion & Public Life, 15 February 2017, <http://www.pewforum.org/2017/02/15/americans-express-increasingly-warm-feelings-toward-religious-groups/>

¹⁷ Alan Taylor, American Colonies. The Settling of North America (New York: Penguin Books, 2002), 159.

¹⁸ Ibid., 167.

¹⁹ Ibid., 166.

determined that the Massachusetts Bay Colony was too lax and founded the colonies of New Haven and Connecticut.²⁰ Laws, such as Connecticut's Fundamental Orders of 1639 created a "Bible Commonwealth" in which Congregationalism became the established religion where every town had to support a church through taxation, only church members had the right to vote, and governmental and religious duties overlapped.²¹

Colonization in areas of Connecticut, for example, was effectuated through a process that led from a proprietor grant by the legislative body of lands "acquired" from Native Americans, to the incorporation of a town, followed by the founding of an ecclesiastical society.²² By the mid-1700s, the Connecticut Colony in its entirety had been apportioned.²³ Out of practical necessity due to the fact that weekly day-long Sabbath service attendance was legally mandated, as people settled the outlying areas around existing towns, and the travel distance and difficulty to the Congregational Meeting House increased, more Congregational Societies were formed.²⁴ "[A]s soon as a community at an inconvenient distance from its meetinghouse had enough taxpayers to hire their own minister and build their own house of worship, they would petition the General Assembly for permission to become an autonomous ecclesiastical society."²⁵

²⁰ Ibid.

²¹ Diana Ross McCain. "Andover to Woodstock: How Connecticut ended up with 169 towns." 15 June 2016.
<https://connecticuthistory.org/andover-to-woodstock-how-connecticut-ended-up-with-169-towns/>

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

This history of town formation created what is now the quaint New England landscape of a white steepled Congregational Meeting House in the center of nearly every town. By 1750 there were 450 Congregational churches, nearly all in New England.²⁶ By 1790 there were 203 Congregational churches in Connecticut alone, which meant most people lived within three miles of a meetinghouse.²⁷ Today there are over 1,000 UCC (many formerly Congregational) churches in New England.²⁸ 13.7% of current UCC congregations were organized between 1616-1799, and 55.1% between 1800-1899.²⁹ This equates to nearly 70% of current UCC congregations being in existence prior to the close of the 19th century.

UNITED CHURCH OF CHRIST MEMBERSHIP TRENDS

The United Church of Christ denomination is considered one of the most progressive in the American Christian landscape. The denomination has seen a decline in the numbers of congregations and members in recent decades.³⁰ In the decade from

²⁶ Taylor, 342.

²⁷ McCain.

²⁸ United Church of Christ Statistical Profile 2019, 4.
<https://www.uccfiles.com/pdf/2019-UCC-Statistical-Profile.pdf>

²⁹ Ibid., 9.

³⁰ Ibid. 6, 7.

2008 to 2018, the UCC experienced a net loss of 438 congregations and 286,825 members.³¹ In New England, for the same time period, the number of UCC congregations decreased from 1,086 to 1,009, with a corresponding decrease in membership from 224,560 to 161,017.³² In the last five years, only 80 congregations were added to the UCC.³³ In 2018 alone, 85 congregations were removed from denominational records.³⁴ Each year more members are removed from denominational records than added. In 2018, 16,302 members were removed; in 2017, 16,660 members removed; in 2015, there was a net loss of 19,625 members; and in 2010, 18,435 members.³⁵

According to the UCC report:

The majority (91.7%) of UCC members belong to congregations with fewer than 400 members with almost half (45.7%) attending congregations with 100 members or fewer. This reflects the overall trend within the UCC of membership being increasingly concentrated in smaller churches; in 2008, 87.8% of UCC members belonged to churches with fewer than 400 members and 37.9% belonging to churches with fewer than 100 members. The biggest changes in the past 10 years have been in churches with 1-50 members, which have increased from 16.5% to 22.4% of members since 2008, and churches with 201-400 members, which have decreased from 22.8% to 18.0% of members since 2008.³⁶

³¹ Ibid.

³² UCC Yearbooks, 2009 and 2019.

³³ UCC Statistical Profile, 2019, 6.

³⁴ Ibid.

³⁵ Ibid., 7.

³⁶ Ibid., 10.

Worship attendance has decreased as well, categorizing a greater number of churches as small congregations.³⁷ In 2018, eight in ten UCC churches (84.2%) had a weekly worship attendance of 1–100 (an 8.7% increase from 2010 and a 22.8% increase from 2000).³⁸ Over half (52.6%) of all UCC congregations currently have a weekly worship attendance of 1-50 individuals.³⁹

UNITED CHURCH OF CHRIST POLITY CONTEXT

The polity, that is the governing structure of the United Church of Christ, is unique among denominations. Because it is deeply rooted in Congregationalism of the 17th century, local churches are autonomous entities which govern themselves. They are said to have a “covenantal relationship” with other local congregations, the regional conference and the national body. The ultimate authority in matters of finances, clergy retention, staffing, theological and political stances all vest in the local congregation.

In the 2000 revision to the United Church of Christ Constitution and Bylaws, covenantal polity was explained as follows:

Within the United Church of Christ, the various expressions of the church relate to each other in a covenantal manner. Each expression of the church has responsibilities and rights in relation to the others, to the end that the whole church will seek God’s will and be faithful to God’s mission.

³⁷ Ibid., 11.

³⁸ Ibid.

³⁹ Ibid.

Decisions are made in consultation and collaboration among the various parts of the structure. As members of the Body of Christ, each expression of the church is called to honor and respect the work and ministry of each other part. Each expression of the church listens, hears, and carefully considers the advice, counsel, and requests of others. In this covenant, the various expressions of the United Church of Christ seek to walk together in all God's ways. (Constitution, Article III).

In many UCC congregations, votes by a quorum of the congregation are required to elect officers, approve budgets and establish policy. Because each local church body governs itself, there may be broad differences in church practices and procedures. This may lead to misunderstandings regarding the assumed nature of proper procedure when two or more congregations engage in collaboration discussions.

Further, because the UCC is non-hierarchical, the regional conference and national body hold no authority to mandate local church policy; thus, leaving the individual churches to manage their affairs without additional support. Particularly in New England, where the historical Congregational Church (which became part of the UCC) was established by the Puritans, there is a deep distrust of the potential for overreach by the regional conference or national staff. As member congregations of the United Church of Christ, churches maintain a covenantal relationship with each other, and are guided by the Preamble of the UCC Constitution and the Statement of Faith.⁴⁰

⁴⁰ "The United Church of Christ acknowledges as its sole head, Jesus Christ, Son of God and Savior. It acknowledges as kindred in Christ all who share in this confession. It looks to the Word of God in the Scriptures, and to the presence and power of the Holy Spirit, to prosper its creative and redemptive work in the world. It claims as its own the faith of the historic Church expressed in the ancient creeds and reclaimed in the basic insights of the Protestant Reformers. It affirms the responsibility of the Church in each generation to make this faith its own in reality of worship, in honesty of thought and expression, and in purity of heart before God. In accordance with the teaching of our Lord and the practice prevailing among evangelical Christians, it recognizes two sacraments: Baptism and the Lord's Supper or Holy Communion." www.ucc.org/beliefs

SUMMARY OF MINISTERIAL CONTEXT

The context in which this project is being undertaken is complex to say the least. In a nation with declining church attendance, the focus congregations are located in the region of the country with a higher than the national average of people who are no longer affiliated with any faith community. The churches are members of a small yet nationally historic denomination, with a non-hierarchical polity. Many congregations are historically related through potentially controversial separations generations ago. The majority of UCC churches are currently experiencing varying degrees of decline which may result in an interest in entering collaboration discussions as a potential remedy to their situation.

Despite the decline, the effect that historical UCC congregations have on their community is immense. For example, church buildings are used for AA, NA and Al Anon meetings, wellness classes such as yoga and qi gong, Girl Scouts, Boy Scouts, Red Cross blood drives, Weight Watchers meetings, food distribution sites, weekly Community meals feeding food insecure people, music series and cultural events, community theaters, community-based garden and education venues, robotics clubs, and preschools. These activities are in addition to the church programs which include activities, worship opportunities and rituals designed to support people in their entire life cycle from infancy to their elder years.

The individual impact of local church ministries is broad based. Pastors, program staff, and volunteers provide one-on-one counseling, including: suicide prevention counseling; assisting people suffering from domestic abuse; marriage and family counseling; drug and alcohol counseling referrals; counseling through grief and loss; working with people at-risk for committing crimes or providing community service opportunities for alternative sentencing programs; teaching youth pro-social values; providing healthy sexual education programs; providing short term financial assistance such as rent support or food assistance; addressing food insecurity; and offering relational support for isolated family members.

As noted in the study published in November of 2016 by Partners for Sacred Places, entitled “The Economic Halo Effect,” the public value of historic religious assets and resources is quite significant.⁴¹ Partners for Sacred Places created an economic valuation tool “to better understand the role of religious congregations and their human, monetary, and physical assets in impacting the social and financial fabric of communities.”⁴² This study, conducted in conjunction with the University of Pennsylvania’s School of Social Policy and Practice, found that the average urban historic congregation generates over \$1.7 million in annual economic impact.⁴³ The study also noted that 89% of visits to a historic congregation was for purposes other than

⁴¹ Partners for Sacred Places, National Report. “The Economic Halo Effect of Historic Sacred Places” (2016). <https://sacredplaces.org/uploads/files/16879092466251061-economic-halo-effect-of-historic-sacred-places.pdf>, 2.

⁴² Ibid., 18.

⁴³ Ibid., 4.

worship, and 87% of the beneficiaries of community events and programs housed in said congregations were non-members of the particular faith community.⁴⁴

If local United Church of Christ congregations were able to operate collectively on some level, the impact these churches could have on their communities could be increased to even greater levels. The increase in relevancy of the UCC presence is extremely important given the steady decline in religious participation in each of the churches, the projection trends showing the collapse of overall religious observance in the United States, and the increase in secularism.⁴⁵

⁴⁴ Ibid.

⁴⁵ Robert Putman and David Campbell, American Grace, How Religion Divides and Unites Us (New York: Simon and Schuster, 2010), 560.

CHAPTER 2: THEOLOGY OF THE PROJECT

For Christian churches, theology should be the ground upon which all actions and decisions are based. Chapter 2 explores how theology can help support and inform the process of collaboration exploration. In particular, I apply theology to the unique regional, historical and denominational context of this study.

New England itself was imagined by the Puritans, the ancestral predecessors of the congregational churches in the region, to be a model Christian society in the New World.⁴⁶ For 400 years the Congregational Church has existed within New England communities, both shaping the culture and responding to it. United Church of Christ congregations are part of that Congregational heritage.

CHRISTIAN UNITY

The UCC's motto, based on John 17:21: "That They All May Be One" can be a guiding theological principle of unity for this endeavor. Further theological support for collaboration can be found in both the Hebrew Testament and the New Testament. For example, Psalm 133:1 celebrates the blessedness of unity. The theme of the Letter to the

⁴⁶ Taylor, 178.

Ephesians, Chapter 4, is Christian unity as a response to Jesus' life, death and resurrection.

Jim Tomberlin, in his book Better Together, Making Church Mergers Work, emphasizes Isaiah 58:12 which envisions God's people as restorers, rebuilders and repairers of broken relationships as a biblical underpinning for church collaboration.⁴⁷ In some instances churches that formerly separated now have the opportunity to discuss reunification, thus healing a long history of competition and judgement. In such cases where there has been an historical break in relationship, collaboration, and the emotional work necessary to make it successful, can be seen as a reconciling act as encouraged in the book of II Corinthians. "Finally, brothers and sisters, Rejoice. Put things in order, listen to my appeal, agree with one another, live in peace; and the God of love and peace will be with you." II Cor. 13:11 (NRSV).

Indeed, when the church presents to the greater community a sense of collaboration and unity, it demonstrates how to follow the Way of Jesus in the world. Collaboration provides a public statement in accordance to Paul's admonishment to the church in Corinth: "Now I appeal to you, brothers and sisters, by the name of our Lord Jesus Christ, that all of you be in agreement and that there be no divisions among you, but that you be united in the same mind and the same purpose." 1 Cor. 1:10 (NRSV).

⁴⁷ Jim Tomberlin and Warren Bird, Better Together (San Francisco: Jossey-Bass, 2012), 6.

GREATER MINISTERIAL IMPACT

Another theological underpinning can be based on the possibility that collaboration between the two congregations can lead to greater ministerial impact. Matt Rogers, in his book Merger: Combining Churches to Multiply Disciples, emphasizes disciple making based on the “Great Commission” as the unifying impetus behind merger.⁴⁸ (See e.g. Matt. 28: 18-20; Mark 16:16-17, John 17:23; Acts 1:8). The emphasis on collaboration can be seen in the narrative of the calling of Peter, James and John to be Christ’s disciple in Luke 5. When Peter’s nets were so full of fish, he called to his partners James and John to help with the abundance of fish. Jesus said that from then on, Peter would be a fisher of men.

Collaborative ministries may assist more people in becoming followers of the Way of Jesus. This particular type of common mission may not be as strong of an inducement for collaboration in churches identifying in the more progressive end of the theological spectrum. However, the desire for a more impactful progressive theological presence within a community may provide a certain level of motivation within congregations. The question remains whether this type of united mission would outweigh the desire for independent congregation survival.

⁴⁸ Matt Rogers, Mergers: Combining Churches to Multiply Disciples (self-published, 2016), 20.

Indeed, the fullness of Isaiah 58 can be interpreted as an encouragement for church collaboration. Together the churches could more effectively work toward justice; feeding the hungry, clothing the naked, sheltering the homeless, freeing the oppressed. In this way the vision of the unified churches' light breaking "forth like the dawn" who thrives like a "watered garden, like a spring of water whose waters never fail" could be strong enough to sustain the difficult work of collaboration. (Isa. 58:8,11 NRSV).

There is great potential for the fruitfulness of justice work through church collaboration to increase because of the synergy that potentially exists around enlivened mission and the passionate energy that is a result of growth and expanded facilities to meet expanding needs. This is in accordance with Jesus' admonishment to the disciples encouraging them to "bear much fruit" for the glory of God. (John 15: 7-8 NRSV).

Perhaps we might interpret this moment as God doing a "new thing" among us. (Isa. 43:19). Perhaps the Spirit is breathing new life into an establishment whose life cycle is ebbing, through a new willingness to discuss collaboration. Such collaboration can be fully supported through biblical teachings that apply to the unique context of United Church of Christ New England congregation collaboration discussions.

CHAPTER 3: LITERATURE REVIEW

Several books were of assistance when determining the appropriate steps to take in pursuing collaboration discussions. For background analysis of the ministerial context, Alice Mann, *The Smaller Congregation*⁴⁹, and Diana Butler Bass, *The Practicing Congregation*⁵⁰ provided an overview into the way in which congregations of the particular sizes and compositions operate. With regard to recommendations for steps supporting church merger, authors Dirk Elliott, Alice Mann, Matt Rogers and Jim Tomberlin, offered guidance. Daniel Coyle provided clear recommendations on ways to improve organizational cohesiveness. Because I do not have personal professional expertise in non-profit mergers and acquisitions, I obtained information from a generalized study of relevant resources. Finally, the case studies I undertook of both urban and rural UCC collaboration discussions in New England gave deep insight into the risk factors present in collaboration discussions of this kind.

There are several resources that warrant an in-depth overview here, as their insights directly influenced the stages and steps of the proposed process.

⁴⁹ Alice Mann, *The Smaller Congregation--Pathways in Challenging Times*
[http://www.congregationalconsulting.org/
wp-content/uploads/2014/10/AliceMann.SmallerCongregationChallengingTimes.pdf](http://www.congregationalconsulting.org/wp-content/uploads/2014/10/AliceMann.SmallerCongregationChallengingTimes.pdf)

⁵⁰ Diana Butler Bass, *The Practicing Congregation: Imagining a New Old Church* (Virginia: The Alban Institute, 2004).

FAITH COMMUNITY COLLABORATION RESOURCES

The following four works provide perspective for collaboration discussions from various contexts, including synagogues, multi-site churches, and church plants.

ALICE MANN, ALLIANCES, MERGERS AND PARTNERSHIPS⁵¹

Congregational Consultant, Alice Mann's Alban Institute publication draws lessons learned from a 5-year initiative to resource synagogue leaders on issues regarding alliances, mergers and partnerships by the Alban Institute and the UJA-Federation of New York from 2008-2013. Mann determined that best practices suggest that before proposing any type of alliance, merger or partnership that the congregations must "face facts and prepare for change before proposing a major step like merger."⁵² She states that the congregations must have both a firm grasp on their financial situation and institutional health, as well as an understanding of the character of their leadership, and

⁵¹ Alice Mann, *Alliances, Mergers, and Partnerships: Lessons from the Journey 2008-2013*, UJA-Federation of New York Synergy Innovations and Strategies for Synagogues of Tomorrow Vol. 5, 2013 5574.
<<http://www.congregationalconsulting.org/wp-content/uploads/2014/03/SYNERGY-Alliances-Mergers-and-Partnerships-Report.pdf>>

⁵² Ibid.

whether they have the capacity to examine controversial options without invoking excessive anxiety.

Next, Mann encourages congregations to study all possible options, including those that might create emotional resistance.⁵³ Mann further warns that bringing forth a specific proposal by leadership without exploring all options first, can elicit denial or resistance to the existence of the problem.⁵⁴ Exploring all options allows the congregation to rule out non-merger options first, before considering any proposal to merge.⁵⁵

Not only do the congregations need to educate themselves on the reality of their situation, but they must explore all options, and perhaps try a few, before they seriously consider merger. Mann suggests that “addressing the ‘stand-alone’ options first has two potential benefits: such efforts may clear the way for collaboration by clarifying the need, and may also yield newfound vitality, whether or not the ultimate decision involves joining forces with another entity.”⁵⁶

Once other options have been explored, then the congregation can create an “Exploration Committee.”⁵⁷ Mann recommends that congregations create a standing committee to look into possible alliances, mergers or partnerships on an ongoing basis.⁵⁸

⁵³ Ibid., 2.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid.

She states that the study found that even highly motivated congregations had to engage in discussions with several potential partners over an extended period of time to find the appropriate match.⁵⁹ The purpose of the committee is to meet every six months to determine whether circumstances have changed and update the list of possibilities, both for non-merger options and for merger prospects.⁶⁰ The mandate for the Exploration Committee requires it to be open to evolving opportunities for alliance, merger or partnership.⁶¹ The Exploration Committee must also be aware of changing necessity and institutional readiness for any collaborative work with other institutions.⁶²

Mann suggests that collaboration discussions, and mergers in particular, can carry the attributes of either a “courtship” or a “merger and acquisition.” She describes the pitfalls as follows:

- **Courtship.** In relationship terms, these discussions can resemble a courtship. People often bring to the table their memories of past experiences (especially painful ones); wishful thinking and/or suspicion about the partner; fear of rejection; touchiness about signals perceived as negative; and a tendency to take things personally if the courtship does not continue.

⁵⁹ Ibid.

⁶⁰ Ibid., 3.

⁶¹ Ibid., 4.

⁶² Ibid., 3.

- **Merger and Acquisitions:** In business terms, these discussions resemble the corporate practice of mergers and acquisitions. Sharing sensitive internal data with a potential partner can feel very risky. One entity may fear they will simply be ‘taken over’ by the other.⁶³

Mann recommends that a consultant be used as a sort of “shuttle diplomat” between two congregations that are determining fit, in order to address sensitive issues without endangering the ongoing relationship.⁶⁴ Although the entire congregation needs to support the process of deliberation, some of the more difficult issues need to be treated with a high degree of discretion.⁶⁵ Mann suggests “clear written guidelines” to help leaders determine what, when and to whom one can share information.⁶⁶

Mann suggests the creation of a board which includes congregational leaders who then work with a “guiding coalition” of 25 to 40 people including “official leadership, members with high informal influence, and emerging leaders of constituencies the (congregation) most needs to reach.”⁶⁷ In that way, both the formal and informal leaders are moving toward the same goal.⁶⁸ For the purpose of clarity of communication, this

⁶³ Ibid., 4.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ Ibid.

group should be present at all key events where information regarding the potential alliance, merger or partnership is being presented.⁶⁹

Finally, Mann states that although fear-based motivations might get a discussion started, only a positive values-based vision can sustain discussions through difficulty.⁷⁰ She concludes: “Congregations need to flesh out a vision of something qualitatively different from the status quo--an approach that is well-suited to one or more populations who are not here now (or at least not present in sufficient numbers for sustainable institutional life.)”⁷¹

JIM TOMBERLIN AND WARREN BIRD, BETTER TOGETHER, MAKING CHURCH MERGERS WORK⁷²

The premise of this book is that mergers work best, not between two struggling churches, but rather between either two equal churches or a vital lead church and a joining church. The context for this book is within the mega-church culture, not within a New England UCC polity. Although the book contains insight into the range of merger types and gives voice to key questions around merger, the uniqueness of the United Church of Christ polity makes applying these principles in this context impractical.

⁶⁹ Ibid., 5.

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² Tomberlin.

For instance, the timeline envisioned in this book would move two congregations through the merger discussion in less than a year. In the rural case study, it took over three years to get to the point of deciding whether the churches would like to consider deeper collaboration, a process that should have concluded in a time period of 2-4 months per Tomberlin's recommended timeline. Further, the emphasis on having a "lead church" and a "joining church" may be feasible in a context in which hierarchical thinking is accepted, but within the United Church of Christ polity, in which covenantal commitment is the basis for relationships and hierarchical authority is distrusted, such an approach creates an insurmountable hurdle.

MATT ROGERS, MERGERS⁷³

Matt Roger's focus in his book *Mergers*, is on merging a church plant with an existing congregation. The emphasis here is on gathering enough information about potential merger partners to be able to make an informed decision regarding which church might be the best candidate for merger in order to further the mission of the church plant. Much emphasis is made on behind the scenes discussions and negotiations by a small number of church leaders. This approach is incompatible with UCC congregational polity. As in Tomberlin, the effective time frame is measured in months rather than years in this model.

⁷³ Rogers.

However, Rogers offers a very effective metaphor for discussions of church mergers. He states:

A church functions like a picture and the object of focus must be clearly defined. The central object of the picture must be one's theology of the mission of the church. Secondly, every picture has a background. This is not essential to the picture but nevertheless gives focus and prominence to the main object of the image.⁷⁴

The third aspect is the frame. Frames "support the picture but are in many ways inconsequential to the object of the picture."⁷⁵ Rogers states that: "The most vital decisions for the viability of the merger are for each church to define the objects of the picture. What is the focus? What's in the background" And what is the frame?"⁷⁶

This metaphor provides an excellent structure for starting discussions within the UCC context which can be used when creating a Vision, Identity and Mission statement, and by Affinity Teams determining Relational, Programmatic and Legal viability. (See Process, Chapter 6 herein). The ability to focus on what is central to the discussions and not be detoured into "frame issues" gives discussions the opportunity to develop.

DIRK ELLIOTT, VITAL MERGER⁷⁷

⁷⁴ Ibid., 61-62.

⁷⁵ Ibid., 62.

⁷⁶ Ibid.

⁷⁷ Dirk Elliott, Vital Merger (self-published, 2013).

Combining the methodology of new church plants with traditional merger goals, Elliott uses the metaphor of a blended family dynamic to illustrate a potential approach to church merger. Elliot believes that the only way a church merger can be vital and lead to increased growth of mission in a community is to consolidate resources in order to create a new church start with a new vision, name, location and ministry.⁷⁸ One of the central emphases is that a new location is paramount to church success.⁷⁹ Although the ultimate location of any potential merger is beyond the scope of this project, it should be noted that in New England, the historical nature of the Congregation Church (predecessor to the UCC) and the fact that the picturesque nature of rural communities is often anchored by the white steepled historic landmark, may be a barrier to church relocation. Elliott's other major emphasis is that the new church call a "church-planting" pastor.⁸⁰

Elliott relies on strong centralized clergy leadership to set down the parameters of selling the existing church buildings, worship in a neutral location, and calling a minister experienced in church-planting. Because his work is based in the United Methodist denomination, which has a strong centralized organization including Bishops who assign ministers to certain congregations, such a model is not directly applicable to the UCC setting. The decentralized nature of the UCC polity, and the consensus nature of decision making within a congregation, makes this approach unrealistic.

⁷⁸ Ibid., 25.

⁷⁹ Ibid., 76.

⁸⁰ Ibid., 115.

SUCCESSFUL ORGANIZATION RESOURCES

DANIEL COYLE, THE CULTURE CODE⁸¹

Daniel Coyle's study of highly successful organizations concludes that any successful group must create a sense of safety, shared vulnerability and have a clear purpose. In order to create a safe environment within the organization people need to have a sense of belonging. The leadership must create an "emotional exchange of unmistakable clarity."⁸² In order to do this a series of "belonging cues" must be created that communicates shared belief and identity.⁸³ Scientifically, the reasoning behind this approach is an attempt to communicate to the brain center called the amygdala, the safety in a group.⁸⁴ Coyle notes that belonging cues do not have to do with character or discipline, but rather whether people feel connected, have a shared future, or feel safe.⁸⁵

⁸¹ Daniel Coyle. The Culture Code: The Secrets of Highly Successful Groups. (New York: Bantam Books, 2018).

⁸² Ibid., 33.

⁸³ Ibid.

⁸⁴ Ibid., 36.

⁸⁵ Ibid.

In order to build belonging, Coyle suggests that organizations act intentionally to make connections happen.⁸⁶ This connection sustains healthy organizations through times of conflict. As Coyle notes:

One misconception about highly successful cultures is that they are happy, lighthearted places. This is mostly not the case. They are energized and engaged, but at their core their members are oriented less around achieving happiness than around solving hard problems together. This task involves many moments of high-candor feedback, uncomfortable truth-telling, when they confront the gap between where the group is, and where it ought to be.⁸⁷

Coyle emphasizes the need for leadership to over-communicate their listening, identify leadership human-fallibility as a way of demonstrating authenticity, and invite input from a broad base of people.⁸⁸

Coyle emphasizes the creation of authentic human relationships on all levels. He stresses the importance of all members having their voice heard and respected.⁸⁹ When members bring up challenging information it is important to embrace the messenger. He states that: “You need to hug the messenger and let them know how much you need that feedback. That way you can be sure that they feel safe enough to tell you the truth next time.”⁹⁰ This high level of emotional safety is further supported through creating spaces in which a large proportion of members interact to a high degree.⁹¹

⁸⁶ Ibid., 54.

⁸⁷ Ibid., 55.

⁸⁸ Ibid., 74-77.

⁸⁹ Ibid., 83.

⁹⁰ Ibid., 77.

⁹¹ Ibid., 79.

This emphasis on a sense of belonging to a safe group begins immediately and continues through visioning a future together. Coyle emphasizes the importance of capitalizing on threshold moments because when people enter a new group, their brains quickly determine whether to connect to others. Therefore, successful cultures treat these threshold moments with heightened attention and care.⁹²

The second skill identified by Coyle is the ability of members to share vulnerability. This is the way successful organizations translate the connection created within the safe environment into relationships based on trust and cooperation.⁹³ Although the approach may seem counter-intuitive, it is important to send signals that the parties have weaknesses and could use help from others in the group.⁹⁴

Coyle uses the term “vulnerability loop” to identify the phenomena that when the mutual acknowledgment of weakness occurs, the parties are able to set aside their own insecurities and get to work trusting and helping each other.⁹⁵ “Science shows that when it comes to creating cooperation, vulnerability is not a risk but a psychological requirement.”⁹⁶ Coyle states that: “the mechanism of cooperation can be summed up as follows: Exchanges of vulnerability, which we naturally tend to avoid, are the pathway through which trusting cooperation is built.”⁹⁷ The goal then, in creating a successful

⁹² Ibid., 86.

⁹³ Ibid., 103.

⁹⁴ Ibid., 104.

⁹⁵ Ibid.

⁹⁶ Ibid., 111.

⁹⁷ Ibid., 112.

organization is to build cooperation through a “circle of people, engaged in risky, occasionally painful, ultimately rewarding, process of being vulnerable together.”⁹⁸

The final skill is that of establishing purpose. The creation of safety and vulnerability signals that members are safe and able to share risk, therefore connecting and enabling them to work together as a single entity. A clear purpose focuses the energy created by this entity toward something. A successful organization needs a straight forward message of purpose and values.⁹⁹ Coyle suggests that organizations pay focused attention to a handful of key markers, and relentlessly seek ways to tell and retell their story.¹⁰⁰ The author believes that: “High-purpose environments are filled with small, vivid signals designed to create a link between the present moment and a future ideal.”¹⁰¹

MERGER AND ACQUISITION LEGAL RESOURCES

I reviewed multiple nonprofit merger and acquisition resources.¹⁰² Several warrant an overview here. In particular, two articles published by the American Bar

⁹⁸ Ibid., 113.

⁹⁹ Ibid., 178.

¹⁰⁰ Ibid., 180.

¹⁰¹ Ibid.

¹⁰² N.B. The reader must be aware that I do not claim to possess legal expertise in nonprofit M&A transactions. This doctoral thesis in no way constitutes legal advice on my part, but merely a summary of resources I have reviewed. Congregations are encouraged to retain their own legal counsel, as laws and their legal interpretation vary over time and by jurisdiction.

Association business law section on Non-profit mergers and acquisitions, and an article published by Christianity Today International Church Law & Tax Report. I drew upon these resources in the crafting of the transactional portion of the proposed process contained in Chapter 6.

DAVID MIDDLEBROOK, *WHEN TWO CHURCHES BECOME ONE*¹⁰³

David Middlebrook summarizes three legal vehicles by which churches can join: merger, acquisition and donation/dissolution. Before any particular vehicle is chosen, he emphasizes the need to do sufficient due diligence. He states that: “The overall goal of due diligence is to make sure that there has been sufficient inquiry and collection of information about the...church partner...to enable your church to make an informed decision about what its next step should be.”¹⁰⁴ Before committing to one of these transactions, each church must thoroughly review the financial and legal situation of the other church.¹⁰⁵ More specifically:

Types of information that should be investigated during the due diligence period includes, but is certainly not limited to: governing documents (articles of incorporation, bylaws, amendments of the same); contracts; personnel policies and structure; agreements with vendors and other organizations; real estate records; marketing materials; programs; activities; IRS records; financial statements; audited financial reports; licenses;

¹⁰³ David Middlebrook, “When Two Churches Become One.” Church Law & Tax, March 1, 2013. <https://www.churchlawandtax.com/cltr/2013/march-april/when-two-churches-become-one.html>

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

potential or current litigation issues; details about debts or other liabilities owed; and so on.¹⁰⁶

The first option, merger, is a legal process through which pre-existing entities completely merge.¹⁰⁷ Following the merger, the surviving entity completely assumes all liabilities of the pre-existing entities, and transacts business as a unified whole.¹⁰⁸ Middlebrook identifies several pros and cons to the use of merger for congregations. Mergers allow congregations with known liabilities that cannot be ignored or dismissed to legally join.¹⁰⁹ He sees mergers as a “fallback position” that is available when other more attractive options are not viable.¹¹⁰ His concern is rooted in the assumption of all liabilities, known and unknown, by the surviving entity.¹¹¹ Because of the complexity of mergers, they tend to be more expensive and time consuming than other types of reorganizations.¹¹²

Middlebrook breaks down the merger process into 5 steps. 1) Plan of merger. Once the entities informally agree to explore merger, an attorney drafts a plan of merger, which is shared with church leadership or the congregation.¹¹³ 2) Board Resolution. If it

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ Ibid.

is determined that merger is to be pursued, a resolution by the church board is drafted.¹¹⁴

3) Articles of Merger. A draft of the articles of merger, created with legal guidance, includes State law specific requirements such as statements identifying the merging entities and the surviving entity; approval of appropriate authorities and effective date.¹¹⁵

4) The draft articles of merger are shared with the board and congregations for consideration.¹¹⁶ 5) The draft articles of merger are considered and approved by the governing body or congregational vote as determined by corporate documents.¹¹⁷ If the merger is approved the articles of merger are filed with the Secretary of State.¹¹⁸

The second option for consideration is the asset purchase and dissolution. This is recommended when a healthy lead church buys either all or a selection of the assets and liabilities of the joining church.¹¹⁹ Asset Purchase Agreements are widely used contracts due to the fact that certain assets and/or liabilities can be excluded from the transaction.¹²⁰ The agreement must specifically identify all assets acquired and liabilities attached.¹²¹ After the completion of the transaction, the joining church would disperse with any remaining liabilities and then file for dissolution with the Secretary of State.¹²²

¹¹⁴ Ibid.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ Ibid.

¹²¹ Ibid.

¹²² Ibid.

Middlebrook believes that Asset Purchase and Dissolution is the best approach when the joining church has outstanding debt/liability that it does not have the resources to disperse independently.¹²³ The asset purchase agreement gives the joining church resources by which to discharge its debts.¹²⁴ Although the lead church must expend resources in order to obtain the desirable parts of the joining church, this expenditure allows the lead church to be able to control the terms of the agreement, limiting the assets and liabilities which they purchase.¹²⁵

Option 3 is Donation/Dissolution. In this case a joining church donates all its assets to the lead church and then the joining church legally dissolves.¹²⁶ This is the most straight-forward and quickest of the options.¹²⁷ Because only assets are transferred, the lead church does not take on any known or unknown liabilities.¹²⁸ However, a church will not be legally able to dissolve if it is unable to pay off prior debts.¹²⁹ Legal guidance is required to review corporate documents to assure that there are no provisions that restrict dissolution; identify and address any restricted gifts; complete the donation of assets and file dissolution papers.¹³⁰

¹²³ Ibid.

¹²⁴ Ibid.

¹²⁵ Ibid.

¹²⁶ Ibid.

¹²⁷ Ibid.

¹²⁸ Ibid.

¹²⁹ Ibid.

¹³⁰ Ibid.

Finally, the author raises several issues that pertain to all types of transactions. Corporate documents, deed restrictions, employee relations, real and personal property concerns, restricted gifts, and tax and state reporting requirements must all be taken into account.¹³¹ Again, the retention of legal counsel is necessary to help navigate these issues.

A review of church corporate documents is necessary to determine who has the responsibility for authorizing a merger or dissolution.¹³² In a polity in which church membership must vote on such decisions, it may be prudent to update membership rolls beforehand.¹³³ Revising bylaws may be necessary to effectuate the transaction.¹³⁴ These transactions must be done in accordance with state law which often requires the submission of affidavits attesting to the fact that the procedure was done in accordance with the church's bylaws.¹³⁵

A title search may also be necessary to assure there are no significant deed restrictions on real property.¹³⁶ New deeds will need to be drafted and recorded if the property is being transferred or sold.¹³⁷ If a mortgage is outstanding, the debt will have to be paid in full or new terms negotiated.¹³⁸ If there is a lease agreement by a tenant or if

¹³¹ Ibid.

¹³² Ibid.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ Ibid.

¹³⁷ Ibid.

¹³⁸ Ibid.

the property itself is subject to a commercial lease agreement, an attorney can help review the situation in advance of the transaction process.¹³⁹

With regard to employees, not only do the hard questions of which employees will remain need to be answered, but legal/administrative procedures such as employee contracts, background checks and volunteer screening need to be undertaken.¹⁴⁰

Middlebrook recommends that discussions regarding ministerial retention needs to take place “in advance of any legal due diligence and certainly before the drafting of the plan of merger or other transaction documents.”¹⁴¹

Personal property must be physically inventoried as part of the due diligence process.¹⁴² Not only do books, desks, furniture, office equipment and the like need to be disclosed, but also the entities should exchange any Uniform Commercial Code filings, schedules of fixed assets/locations, equipment leases, vendor contracts, and encumbrances such as pledges, security agreements and financing statements.¹⁴³

Restricted gifts and other designated funds must be examined.¹⁴⁴ Restrictions can be removed in writing by the designator or the donor may request that the funds be returned.¹⁴⁵ If the donor is no longer living, the Uniform Prudent Management of

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ Ibid.

¹⁴⁵ Ibid.

Institutional Funds Act, which provides guidance on investment decisions and endowment expenditures for charitable organizations may apply.¹⁴⁶

Churches must be careful to comply with all tax reporting requirements and state law reporting requirements.¹⁴⁷ None of the parties want to do anything that would jeopardize their tax-exempt status. State law varies with regard to nonprofit incorporation, operation and dissolution.¹⁴⁸ Therefore retaining legal expertise and professional tax advisors is prudent.¹⁴⁹

JENNIFER REEDSTROM BISHOP AND CATHERINE BITZAN AMUNDSEN, “*WHEN ARE WE GOING TO TALK ABOUT MONEY? A NONPROFIT M&A PRIMER FOR THE BUSINESS ATTORNEY*”¹⁵⁰

Bishop and Amundsen stress that the focus of nonprofit mergers should be the adherence to institutional mission and the appropriate use of charitable assets.¹⁵¹ The

¹⁴⁶ Ibid. (The UPMIFA has been adopted by all New England States as of 2009.)
<https://www.uniformlaws.org/committees/community-home?CommunityKey=043b9067-bc2c-46b7-8436-07c9054064a3>).

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

¹⁵⁰ Jennifer Reddstrom Bishop and Catherine Bitzan Amundsen. “When Are We Going to Talk About Money? A Nonprofit M&A Primer for the Business Attorney.” American Bar Association, Business Law Section.
<https://businesslawtoday.org/2017/06/when-are-we-going-to-talk-about-money-a-nonprofit-ma-primer-for-the-business-attorney/>

¹⁵¹ Ibid.

authors highlight the fact that the States Attorney Generals or Department of State may have the legal obligation to oversee a nonprofit combination and asset distribution.¹⁵² A unique attribute to a nonprofit transaction is the fact that members may have governance rights, including approval of major transactions and change of governance documents.¹⁵³

There are a broad range of legal structures that can be used for collaborations between nonprofits.¹⁵⁴ These structures range from independent cooperation agreements to highly integrated mergers.¹⁵⁵ “Collaborations and Shared Service Arrangements” allow nonprofits to jointly fund specific administrative, operational or programmatic functions.¹⁵⁶ These arrangements could lead to greater efficiencies by eliminating duplicative personnel and equipment.¹⁵⁷ The authors state that:

The arrangement should be in a written agreement which allocates operational responsibilities, establishes a financial structure, defines the key elements of the program, outlines reporting obligations, and defines the governance structure for oversight of the program. A shared services arrangement can be an initial step toward more full integration of the nonprofit participants, allowing them to build a trust relationship based on their joint operations and to gradually increase their shared functions over time.¹⁵⁸

¹⁵² Ibid.

¹⁵³ Ibid.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

Examples of highly integrated structures are mergers, consolidation or transfer of assets into one legal entity.¹⁵⁹ This option is recommended when the nonprofits have a strong congruence of mission, and merger will increase their efficacy.¹⁶⁰ Both an Asset Transfer and Dissolution, and a Merger are examples of these integrated structures. The benefit of an asset transfer is liability management in a way that reduces risk to the combined entity.¹⁶¹ In a merger, all assets and liabilities legally combine into one operating entity.¹⁶² In a merger, either entity can be the surviving entity, or in the case where state law allows “consolidation,” both nonprofits merge into a newly formed nonprofit.¹⁶³

The authors list of key issues in nonprofit mergers include the naming of the new entity, governance structure, control and support of existing programs, physical location of operations, staffing, and legal liabilities.¹⁶⁴ Further, they note that under certain state nonprofit laws “a statutory merger is the only way to be certain that bequests to the nonprofit constituent(s) ultimately pass by law to the benefit of the surviving corporation.”¹⁶⁵ Further regulatory complexities include tax-exempt status and transfer of restricted gifts.¹⁶⁶

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ Ibid.

¹⁶² Ibid.

¹⁶³ Ibid.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

¹⁶⁶ Ibid.

WILLARD L. BOYD III, “*MERGERS, ACQUISITIONS, AND AFFILIATIONS INVOLVING NONPROFITS: NOT TYPICAL M&A TRANSACTIONS*”¹⁶⁷

Boyd states that nonprofit motivation for collaborative arrangements include increased synergies, cost savings and workforce efficiencies.¹⁶⁸ As nonprofits commence collaboration discussions, he recommends the use of non-binding letter of intent or term sheet to help structure the proposed transaction.¹⁶⁹ He further emphasizes the need of a binding confidentiality agreement to be put in place before any significant discussions begin between the parties.¹⁷⁰

The Model Nonprofit Corporation Act, and most state nonprofit corporation acts, allow for nonprofit merger, and outline the required procedure.¹⁷¹ Boyd notes that in a merger there is no need to dissolve the merged out entity because it ceases to legally exist.¹⁷² Additionally, state law often provides that “any bequest, devise, gift, grant, or

¹⁶⁷ Willard L. Boyd III, “Mergers, Acquisitions, and Affiliation Involving Nonprofits: Not Typical M&A Transactions.” American Bar Association, Business Law Today, June 2014.
https://www.americanbar.org/groups/business_law/publications/blt/2014/06/02_boyd/

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

¹⁷⁰ Ibid.

¹⁷¹ Ibid.

¹⁷² Ibid.

promise contained in a will or other instrument of donation inures to the surviving entity unless it is made pursuant to an instrument that specifically provides otherwise.”¹⁷³ This significantly reduces the concerns regarding designated gifts.

Boyd notes that a disadvantage of merger is that the surviving entity inherits all the liabilities of the merged out entity.¹⁷⁴ He further mentions consolidations as a viable option in which both nonprofits cease to exist with the creation of a new legal entity, but notes that a major disadvantage of such an approach is that it is necessary for the new entity to apply to the IRS for tax exempt status under Section 501(c)(3) of the Internal Revenue Code.¹⁷⁵ The author also mentions asset acquisitions as a possible option that enables the acquiring entity to limit its exposure to potential liabilities.¹⁷⁶ In this transaction it is noted that the selling entity remains in existence and must be wound down and dissolved.¹⁷⁷

Regardless of the nature of the transaction, the parties must undertake due diligence reviews which include articles of incorporation, bylaws, and board policies; audited financial statements and any audit reports; tax filings including Form 990; outstanding contractual arrangements; real and personal property inventories; litigation overviews; insurance coverages; and employee roster and benefits.¹⁷⁸

¹⁷³ Ibid.

¹⁷⁴ Ibid.

¹⁷⁵ Ibid.

¹⁷⁶ Ibid.

¹⁷⁷ Ibid.

¹⁷⁸ Ibid.

Further due diligence considerations include a confirmation from the IRS that a combination will not affect the tax-exempt status of the nonprofit.¹⁷⁹ A review of restricted funds and a mechanism for ensuring that a transfer is possible and the surviving entity can honor such restrictions must be undertaken.¹⁸⁰ Finally, because a combination may require nonprofit member approval, it is important to determine whether the nonprofit's definition of "members" complies with state nonprofit law's definition of members.¹⁸¹

NEW ENGLAND CASE STUDIES

The most directly applicable resources were the two case studies of collaboration discussions within the United Church of Christ context in New England. I was able to gain knowledge from the participants in the urban attempt as they reflected with me within a year after the collaboration attempt failed. The timing allowed the initial pain of the experience to subside without having the passage of time obscure the lessons learned. For the rural case study, I was able to directly observe the process as it unfolded. The combination of these two case studies' perspectives helped clarify my analysis and inform the structure of my proposed process.

¹⁷⁹ Ibid.

¹⁸⁰ Ibid.

¹⁸¹ Ibid.

CASE STUDY: URBAN NEW ENGLAND UCC COLLABORATION ATTEMPT

An extremely relevant resource was a case study I completed of an unsuccessful UCC merger attempt in New England in an urban setting. For this case analysis, I interviewed the ministers and Regional Minister associated with a United Church of Christ congregation merger attempt in a New England urban center with a population of approximately 130,000.

There are five United Church of Christ congregations in this urban New England community within a one-and-one-half mile radius. These congregations were brought together by the conference minister's encouragement that they pursue merger. Two of the congregations dropped out of the process early on: one had a strong identity as a predominately African American congregation; while the other had a large endowment and strong independent identity stemming from an historical split from one of the other churches in the mid-18th century.

The two remaining congregations embarked on the collaboration discussion journey together. The congregations had some previous experience of collaborative ministry such as a successful joint confirmation class. The plan was to have a lay led collaboration process that included frequent creative joint worship, and all church retreats. A leadership team made up of four members from each congregation was

commissioned to explore the possibilities of creating a new church. Multiple teams were created to address church life issues such as worship and Christian Education.

Although the congregations did many things right, there are several ways in which mistakes were made that future congregations should attempt to avoid. Through the perspectives of the people I interviewed, I was able to identify nine central issues that arose in the merger attempt, and create preliminary recommendations for handling them if they should arise in future collaboration discussions. They are as follows:

- 1) Identity and Values.

Initially there were four area UCC congregations that were discussing collaboration and potential merger. Two of the churches self-selected out of the process rather early on. Although on the surface, the two remaining congregations appeared to be a good match, upon final reflection it was determined that there was an insurmountable imbalance in terms of financial resources, membership, core values and identity that precluded successful merger.

It would have been helpful for each congregation to initially complete a personality assessment in order to more deeply understand who they were as a church before entering into discussions with each other. This personality profile or survey would have helped determine how each congregation spent their time and resources, the intra-church culture, and whether there was an openness to change of identity.

For instance, questions should have been asked regarding whether congregants saw their church culture as reflecting a community church, a downtown church, a neighborhood church, or a social activist church. Additionally, upfront assessment of

financial culture regarding stewardship should have been made; such as whether a balanced budget is a core value, whether spending the principle of investments would ever be an option, what is the level of financial risk tolerance, and whether ministries (such as professional choirs or outreach) need to have a demonstrable financial return. Finally, church dynamics questions that addressed who has the decision-making power, how the church membership felt about the Conference level and the National UCC, and whether the church culture was collaborative or highly individualistic, needed to be explored.

In this case study, if the value-based non-negotiables were initially identified it would have become clear that despite surface similarities, further discussions between the congregations would have been futile, and the hard feelings that ultimately emerged between the two congregations may have been avoided.

2) Education and Communication.

Early education on the downward trends of church attendance in the Northeast and nationally, prior to entering into merger discussions would have allowed each church to look realistically at their own congregations. Clergy reluctance to address these issues is understandable, in that congregational leadership may be reticent to alarm their congregations and initiate an anxiety response. However, most likely people are aware of what is happening in their own congregations, and educating on the national trends, and emphasizing what is going well within each congregation, can help clarify the thinking of congregants.

Because the unaddressed downward spiral of attendance and financial strain increases anxiety and stress within congregations, internal and external blaming often becomes a protective response for members. If the congregation as a whole could realize that no one in particular is “to blame,” (i.e. not themselves nor other congregations in the area), the negative aspects of competitive impulses could be avoided. Once these facts are effectively communicated to the congregation as a whole, a determination needs to be made about what to do next.

3) Source of Motivation to merge/collaborate.

In the case of the unsuccessful merger attempt, there was a general sense that the idea of merger was forced from the top down. Congregants believed that the local ministers, the Conference and the National UCC raised the issue of merger to enhance their status as having created “the first successful merger.” Congregants had a sense that the merger was not being suggested for the good of the individual congregations. In addition, the vision of forming a “new church” was not in reality an effective focal point for collaboration because in truth, none of the churches wanted to change their identity. In order to have any chance of success, the source and energy for collaboration must come organically from the congregation after self-reflection and education.

4) Nature of Leadership.

Because of distrust of the clergy, Conference and National UCC, the leadership was entirely lay led. The lack of clergy engagement was identified as a major problem by

the clergy interviewed. Further, the make-up of the leadership body was deemed too insular, insufficient in diversity and lacking in those grounded in the historical perspective of each church.

Before the final congregational vote, the senior minister of one of the congregations resigned, stating the desire to allow the congregation to work through the grief of her/his departure prior to entering into the merger. This decision unintentionally created a power vacuum, and disempowered the minister even as he/she recognized warning signs which he/she attempted to communicate prior to his/her departure.

5) Lack of outside expertise.

Because of the erudite nature of the larger community in which the congregations were located, those chosen for the leadership committee embodied a level of hubris regarding their own intelligence and experience, thus failing to seek support from outside experts. The leadership group refused to engage financial, administrative, and legal expertise until very late in the process. All those interviewed emphasized the need to engage legal counsel and financial expertise much earlier in the process.¹⁸²

6) Issue avoidance.

Because of the failure to retain neutral outside experts, difficult legal and financial issues were avoided until far too late in the process. The leadership teams did “too much

¹⁸² When legal counsel was finally engaged by the larger congregation, some of the congregants of the smaller church felt that hiring a lawyer indicated a level of distrust and bad faith on the part of the larger church. The failure to obtain outside expertise belies both the hubris and the naiveté of the parties involved. The merger of two non-profits includes a diverse and complicated set of legal concerns that need to be professionally addressed.

visioning” rather than examining the areas of potential conflict such as financial values, attachment to locations, desire to maintain a particular church culture and power structure. A neutral expert might have been able to draw leaderships’ attention to any serious objections and warning signs that they were otherwise willing to overlook.

7) Lack of Conference support.

Perhaps because of the distrust of the Conference, or ignorance on the Conference’s part, the Conference failed to provide any independent resources or contacts who might have had prior experience with congregational merger. The Conference communicated that they believed this was a matter of first impression and that such a merger had not been done before. Even so, the Conference could have committed resources to finding ways to support the process, rather than merely providing the directive to ministerial leadership to “make it work.”

8) Insufficient Relationship building.

The congregations worshipped together on a monthly basis, provided a joint confirmation ministry, engaged in several retreats, read books together, and yet the level of relationship building was determined by ministerial leadership to be insufficient. The sense of safety, shared vulnerability and clear joint purpose was never fully established. In the end, although members of the two congregations enjoyed each other’s company, they did not get close enough to really understand each other and thus withstand conflict.

Ministerial leadership noted that not enough time was spent together with enough people to get full investment.

9) Timing of decision making.

Even though the congregations were involved in merger discussions for close to 3 years, the vote was undertaken before all issues were reviewed, and a strong enough bond had been created. There were warning signs that there were major areas of disagreement that needed to be addressed, that were ignored by lay leadership even after clergy brought it to their attention. Further, senior clergy of one of the congregations left their position prior to the vote taking place, thus leaving resentment and a power vacuum in the congregation.

In the end, the congregations concluded that they had differing identities and values that precluded merger. Unfortunately, this conclusion was accompanied by a great deal of resentment between members of the congregations. In my opinion, the failure in this case was not in the lack of ultimate merger, but rather in the unwillingness of the leadership (congregational, conference and national) to identify these basic incompatibilities earlier in the process, and the lack of an effective process to guide in the decision making.

CASE STUDY: RURAL NEW ENGLAND UCC COLLABORATION ATTEMPT

A second case study I undertook was of two congregations in a rural New England setting. For this case analysis, I observed the process in real time, obtaining information through personal observation as well as being given contemporaneous notes from meetings of decision making bodies.¹⁸³ From this case study I was able to identify five central issues, several distinct from those of the urban case study, that arose in the merger discussions. These issues were ambivalence, leadership change, failure to exhaust other growth avenues, historical break of relationship and competition, and lack of process.

There are four United Church of Christ churches within a five-mile radius of the center of this New England town serving an area with a population of 20,000 people. Two of those congregations are located approximately two miles apart within a town with a population of approximately 11,000. Within a 7 mile radius of the town center there are over thirty Christian (protestant and catholic) faith communities, with 8 in that town alone.¹⁸⁴ The two UCC congregations within the same town chose to discuss deeper collaboration because it seemed unlikely to the members of the congregation that both

¹⁸³At the point of the completion of this project, the congregations remained in dialogue and had not yet determined if they had sufficient commonality to formally pursue merger.

¹⁸⁴ Association of Religion Data Archives. Community Profile: Granby, Connecticut. 7 February 2018.

churches would be able to survive in the long term in this small community. The five issues that presented themselves during the course of the collaboration discussions are as follows:

1) Historical relationship.

Of these two UCC churches, Church A was founded in 1736 as an Ecclesiastical Society. Church B was formed in 1872 when a group of members separated from Church A. From the historical record, it can be concluded that the origination of Church B was a complex interplay between the evolution of distinct regions within the community based on social status, the practical needs of a clergyman to have suitable housing, the minister's desire to work and live in relative proximity, and quite possibly underlying differing views between the congregations regarding temperance.

At this point nearly 150 years have passed with two congregational churches in this rural setting. Throughout that period each church has developed its distinct identity and internal dynamics. Both churches could be described in Diana Butler-Bass' terminology as post-liberal intentionally practicing congregations.¹⁸⁵ Although Church A has more families who have long institutional memory,¹⁸⁶ the churches are both engaging in the community around them in creative ways. Survey results indicate that Church A is

¹⁸⁵ Bass, The Practicing Congregation.

¹⁸⁶ Alice Mann, The Smaller Congregation, 2. See also, Collaboration Study; Congregational Church A and Congregational Church B by Scott Thumma, Ph.D. dated 10/17/19. Appendix. Statistically Significant Patterns in Survey Results. (Church A has members who have been at Church A significantly longer, Church B more recent members. (.000)).

a “smaller congregation” as defined by Alice Mann, with a *de facto* leadership circle, tight-knit membership core, and a small leadership pool.¹⁸⁷

Both congregations are in the “decline” phase of the church life cycle. Church B would be considered in the early stages of decline and may be able to be revitalized if, in the words of Alice Mann, they “look hard at the facts, avoid blame, and engage in new learning.”¹⁸⁸ Church A has moved further down the decline side of the church life cycle, and is in need of “redevelopment.”¹⁸⁹ Both churches need to re-enter a period of “formation” in which they rediscover their Vision, Identity and Mission.¹⁹⁰

Even though differences remain between the congregations, over time they have continued to move in the same general direction; first joining the United Church of Christ denomination in the 1950s and later becoming Open and Affirming within the last decade. Both churches are theologically aligned along the more progressive and inclusive end of the protestant spectrum.

Not only is the historical background of the churches relevant to the potential for collaboration between the congregations, it is also important to address the more recent institutional character of each congregation. During the past 30 years Church A has had six senior ministers, three of whom left under negative and divisive circumstances.

¹⁸⁷ Ibid. See also, Collaboration Study; Congregational Church A and Congregational Church B by Scott Thumma, Ph.D. dated 10/17/19. Appendix. Statistically Significant Patterns in Survey Results. (Church A has members with more friendships in the church (.001)); (Church A has more members involved in more committees (.01)).

¹⁸⁸ Alice Mann, Can Our Church Live: Redeveloping Congregations in Decline. (Virginia: The Alban Institute, 1999), 10.

¹⁸⁹ Ibid., 11.

¹⁹⁰ Ibid., 3.

During the same time period, Church B has been the beneficiary of over 30 years of stable pastoral leadership: 12 years by the current minister and 20 years by his immediate predecessor. This difference in continuity/stability of ministerial leadership created a distinct difference in congregational culture. The survey results showed that there were complementary strengths and weaknesses. For instance Church A had a stronger friendship and support networks than Church B, while Church B was more open to new people and had a stronger outreach orientation.¹⁹¹ Throughout these decades, regardless of leadership, the congregations have generally worshipped together twice annually, and engaged in some level of joint spiritual growth and service work.

However, the 150-year-old history of what was felt as a traumatic separation at the time still lingers in the DNA of the churches. Church A can revert to feeling upstaged and abandoned by Church B; while members of Church B can give the impression of being superior because of their comparative institutional health. The perceived division between the “farmers” of Church A and the “city folk” of Church B still exists to some extent. Additionally, although there is some cooperation between the two congregations, there is an inherent sense of competition between the two that has existed for 150 years.

2) Ambivalence.

Given the historic nature of Congregationalism in New England, and the attachment and loyalty people feel toward their own congregations, it is understandable that members of both churches want their own congregations to thrive. It is clear that the

¹⁹¹ Collaboration Study: “Congregational Church A and Congregational Church B” by Scott Thumma, Ph.D. dated 10/17/19.

only reason the churches are considering deeper collaboration is because of downward trending membership and worship attendance, and the commensurate budget constraints.

In early exploratory discussions, members of Church A made it abundantly clear that they had no interest in merger, but that increased collaboration on some missions and programs was a possibility. However, when the survey was conducted two years later, the statistically significant results showed that members of Church A were more in support of joining with Church B, than members of Church B.¹⁹² This change can be attributed to the fact that the survey results showed that by that point Church A was less optimistic about the viability of independent survival, while Church B felt much more hopeful about its future.¹⁹³

Both churches were supportive of continuing activities in which they had previously partnered such as festivals, youth services, mission/service trips, adult programming, and joint worship.¹⁹⁴ However, those suggestions that affected the daily functioning of the congregations such as shared staffing (including clergy), and selling the church building to maintain vitality were less desirable.¹⁹⁵ Even more resistance was elicited in response to questions about merging with another church as a multisite

¹⁹² Ibid. Appendix. Statistically Significant Patterns in the Survey Result. When responding to the question addressing interest in offering joint worship events or services with other church(es) there was a higher affirmation at Church A than Church B (.05). When responding to the question regarding joining with one or several other churches to function as a single church but each retaining their own buildings, there was more affirmation at Church A. (.001).

¹⁹³ Ibid. The current morale of Church B was higher than Church A. (.003), and Church B felt it was well-known and respected in the community (.000).

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

ministry, or leaving the church property entirely.¹⁹⁶ Between the two churches there has been a long history of programmatic collaboration, however, ambivalence can be seen in the lack of willingness to radically increase that cooperation.

Survey analysis highlighted both congregation's ambivalence by concluding that: "If a version of any merger plan was undertaken, based on the present survey, roughly a third of each congregation would be in favor and support a new reality, a third of each church that is currently neutral or unsure might participate initially with some perhaps staying at a new reality over the long run and a third of each church would likely leave and not participate in the new reality."¹⁹⁷

Throughout the process, Church B's ambivalence was expressed in their attitude that "we are doing great and Church A should just come join us." Survey results showed that Church B had a stronger self-identity, clearer sense of mission and purpose, and better sense of vision/mission.¹⁹⁸ Church B's optimism and relative health in relation to Church A, made Church B ambivalent about needing to change.¹⁹⁹ Church B felt that it was the "lead church" even though that language was rejected by the joint leadership group.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid. Appendix. Statistically Significant Patterns in the Survey Results. When answering the question about the need to change as a church to be relevant to newer generations, Church A was in much more agreement with this statement than Church B. (.000). However, Church B was more willing to try something new. (.01). In an analysis of the statistically significant survey result comparison findings, Church B demonstrated more health and optimism across most categories when compared to Church A.

This comparative optimism on the part of Church B might have been somewhat artificially bolstered by the fact that ministerial leadership at Church A had undertaken extensive education of the congregation on the downward trends of national and denominational church participation; whereas the members of Church B were not presented with this information before the survey was conducted. Armed with this knowledge, Church A's ambivalence was clearly displayed in their hiring of a transitional minister whose expertise was in church revitalization. This choice by Church A proved to have a deep impact on the collaboration process.

3) Change of Leadership.

Partway through the process, the Senior Minister of Church A chose to retire due to pressing personal reasons. This naturally led to a disruption in the process. An interim minister stepped in, and then the congregation chose to hire a transitional minister whose expertise was in church revitalization. This transitional minister, hired for a finite term of three years, did not have the benefit of the time investment in the prior two-and-a-half years of the collaboration process, nor stake in the long-term viability of the congregation.

Coming in with his/her own specialized skill set, the transitional minister took steps to address internal unhealth issues within the congregation, and also engaged the congregation in activities/programs that he/she believed would promote growth.

Drawing on her/his experience in church revitalization she/he encouraged the congregation to engage in activities in a manner that were ultimately at cross-purposes

with the merger effort, and unfortunately tended to promote increased competition between the two congregations.

Because there was insufficient time for a relationship to be built between the Church A transitional minister, and the ministerial and lay leadership of Church B, the transitional minister's actions were met with skepticism and distrust. Additionally, members of lay leadership at Church A also came to view some of the transitional minister's efforts as having the unintended consequence of sabotaging the merger efforts. The transitional minister was obviously disadvantaged, thinking that she/he was hired based on expertise, but discovering that some of those skills were not, in reality, useful.

4) Failure to exhaust other options first.

The transitional minister of Church A tried to fit the revitalization process he/she was spearheading into the collaboration process by stating that Church A needed to be built up to the level of Church B, so that any merger could be a "marriage of equals." Consequently, Church A redirected emotional energy and congregational resources toward increased competition and away from merger discussions, relationship building between congregations, and building common vision. This change of course increased levels of resentment between the two congregations, fed into the ambivalence that both congregations felt about merger, and increased the risk of exhausting both the members of Church A who were trying yet again to revitalize, and the members of Church B who were left waiting once again for Church A to show interest in merger.

5) Lack of process.

Because there is yet no definitive plan in place for UCC congregational merger discussions, the rural churches in this case study created their own process on an ad hoc basis as the negotiations unfolded. This reality necessitated an extremely slow trial-and-error approach. The slowness of the process, and the lack of a clear plan from the beginning of the discussions led to inconsistent messaging by the churches, and increased the risk of exhaustion of the congregations, ministers and lay leadership teams. Further, because there was no agreed upon plan, when new clergy entered the system, neither he/she, nor Church A, felt obligated to make choices solely in the best interest of the collaboration discussions.

A lesson learned from the rural case study was the importance of having a qualified independent consultant. In this case the consultant worked both as a congregational consultant, educating and guiding the discussions; as well as working jointly with ministers of both churches in a coaching capacity, helping build trust, communication and healthy conflict resolution. The consultant was also able to identify ministerial behaviors that were counter to the best interest of the merger discussions and use appropriate influence to redirect his/her efforts.

Because of the ad hoc nature of the process, the stages were “out of order.” In other words, work that should have been done as preparation for discussions did not take place until further into the process. This caused unnecessary confusion and conflict when one congregation was further along in the process than the other, or had had the opportunity for more self-reflection than the other. Having a process that congregations can follow will prevent this source of conflict and misunderstanding.

CONCLUSION

The resources and literature outlined above, though not all directly applicable to the context of this study, provide a place from which to start the analysis. Due to the fact that this is an emerging field, all available resources for learning provide valuable insight into the evolving field of study. From general church development literature, to the more specific multi-site, church plant and revitalization resources, each author's point of view helped expand my base of knowledge within this larger discourse. Additionally, both church specific and generalized non-profit merger and acquisition resources provided initial legal transactional guidance. It was, however, the Alice Mann Alban Institute Study of synagogue merger attempts, Daniel Coyle's book on organizational success, attorney David Middlebrook's 2013 article on church merger legal concerns, and the UCC case studies in which I engaged, that provided the most directly applicable and timely learning.

CHAPTER 4: CHALLENGES AND HOW TO ADDRESS THEM

Throughout over three years of research I observed the process underway by rural New England congregations to explore the potential for deeper collaboration. At the same time, I researched collaboration resources, spoke with experts, embarked on a case study of an urban New England UCC merger attempt, researched non-profit merger and acquisition resources, and studied organizational health resources. The case studies have led me to identify the seven major challenges to a successful merger discussion.

Although I do not wish to discourage the reader, I feel that it is necessary to be honest about the variety of forces influencing the process. The task of church merger in the United Church of Christ is both pressing and daunting. The polity structure does not have the benefit of centralized authority that can direct the actions that churches must take. Nor does the minister wield sufficient power to encourage congregation-wide decision making in a particular direction. Instead, in the UCC, two (or more) autonomous congregations, led by a potentially changing lay leadership panel, must navigate the unfamiliar terrain in such a way that a majority of each congregation will be in agreement.

However, Christian congregations have two powerful gifts that other non-profits do not possess, namely theology and ritual. Theology and ritual allow churches to move beyond the fear-based behavior of organizations when used consistently and with patience. Looking to Christian theology for help and guidance whenever congregations

become afraid, refocuses the energy on fulfilling God's call in the world, rather than on the individual egos fighting for attention.

Within the Hebrew Scripture and New Testament, one finds encouragement and guidance to become compassionate, wise, disciplined, visionary, courageous, cooperative, attentive, and centered human beings. Every single one of those attributes is required to produce collaboration discussions that strengthen relationships rather than destroy them. The use of Christian ritual helps support and reinforce these positive characteristics, and helps gentle the seven metaphorical wild horses.

THE SEVEN WILD HORSES

In terms of the chosen metaphor, there are seven "wild horses" that must be gentled for successful collaboration/merger discussions. They are: 1) Lack of a concrete plan; 2) Ambivalence; 3) Lack of Trust; 4) Scapegoating; 5) Change of ministerial leadership; 6) Interference or lack of support from outside forces such as the Conference or Community; and 7) Exhaustion of leadership and congregation.

Without appropriate guidance most collaboration discussions would soon end. However, with a structured process, the potential for a successful merger increases. With the process I recommend in Chapter 6, congregations have an opportunity to have

successful collaboration discussions.²⁰⁰ The intentional and measured use of this process will help create a sense of calm within a stressful environment and help control the seven wild horses. In order to gentle wild horses, one is said to have to first look them in the eye. That is what I intend to help the reader do in this section.

1) LACK OF A CONCRETE PLAN-ADHERENCE TO A PROCESS SUPPORTS SUCCESS

Without a plan in place the multi-directional forces at play within any congregation will ultimately mean that the collaboration discussions will halt. Particularly within the UCC polity, because of the need of consensus building, it is important that leadership have an agreed upon written plan in place and communicate that plan to the congregation. The plan needs to have sufficient flexibility to be able to respond to any contingencies that arise, yet provide specific enough guidelines to keep the process on track and move the energy of the discussions forward.

The initial attempts at merger in the UCC have been largely unsuccessful because so much energy is spent trying to find a process that works. This trial-and-error approach is slowly creating a body of experience that may be parlayed into an effective process. Contained in Chapter 6 is such a plan.

²⁰⁰ It behooves us to remember that “success” in this context is not the outcome of collaboration or non-collaboration, but rather whether relationships between two faith communities are strengthened rather than weakened.

2) AMBIVALENCE-THE PROCESS ADDRESSES CONGREGATIONAL AMBIVALENCE

Institutional and individual ambivalence about the desire to engage in collaboration/merger discussions wastes the precious resource of energy necessary to successfully engage in the process. Naturally, congregations would like to think that there are other possibilities to promote survival of their congregations without a change of location or leadership. Quite often the natural focus of a congregation is merely maintaining the *status quo* rather than risking the changes necessary to create a vibrant future.

This ambivalence is often demonstrated in some congregant's willingness to "partner" with other churches for survival purposes, but remain unwilling to consider changes that may allow the church to thrive and grow. Ambivalence creates the illusion that collaboration/merger is the means to return a congregation to a prior reality, rather than radically alter the congregation to respond to the current reality. Such ambivalence can lead to an excessive drain on resources, including time and energy, if it is not addressed.

Ideally, before engaging in collaboration discussions all avenues for reinvigoration have been pursued by the congregations. Thus, the reality of the changing religious landscape, and the congregation's inability to reverse downward trends despite best efforts, has already been experienced and acknowledged. If that is the case, then

there are enough experiential facts available to counter the existence of natural ambivalence.

Congregational leadership must get beyond their own personal ambivalence if collaboration discussions are going to have any chance of being successful. Any reluctance or hesitation will be perceived by the members of the congregation and will result in supporting conflicting forces. One of human nature's less desirable attributes underlying ambivalence is pride. All people are susceptible to believing that their knowledge, position or organization is superior to others. If clergy, lay leadership or members of the congregations in collaboration discussions truly believe they are superior to their counterparts, true collaboration is impossible.

Admitting that one's congregation can no longer thrive on its own may feel like admitting defeat and may wound the collective pride of the congregation. Pride may also lead to the failure of congregations to seek support from outside consultants, the Association or Conference. This type of pride contributed to the failure of the Urban New England case study where members in the congregation refused to engage outside experts because of their confidence in their own acumen.

Theologically, both the Hebrew Testament and the Gospels warn against pride. Proverbs 16:8 tells us that "Pride goes before destruction and a haughty spirit before a fall." Luke 4:23 reminds us that we should attend to our own defects before those in others. ("Physician, heal yourself.") In Matthew 7:5, Jesus admonishes his followers saying: "[F]irst take the log out of your own eye, and then you will see clearly to take the speck out of your neighbor's eye." Reminding the congregation of their scriptural

heritage can be one resource that the clergy and independent consultant can employ in counteracting one of the root causes of ambivalence.

Facing reality; that is acknowledging the facts about themselves and their congregation, will lead to the recognition of both strengths and weaknesses. The process provides ample opportunity to understand the National, Regional and denominational specific trends at work, and look at the facts about congregational health. Admitting the areas of weakness actually becomes a strength that can counteract ambivalence in that it discloses the necessity for collaboration discussions. Further, creating a compelling vision of the future can assist leadership in communicating the excitement and hope for collaboration, and be a counter-balance to the fear of change. It bears repeating that the mere desire for survival does not embody sufficient energy to counter the underlying feelings of ambivalence and grief.

3) LACK OF TRUST-THE PROCESS CREATES AN ENVIRONMENT IN WHICH TRUST CAN BE BUILT

Human beings are meaning makers, and if there are gaps in knowledge, they will naturally fill in the details themselves, more or less accurately. Because we are innately tribal, trusting the “other” does not come naturally. In order to build trust between members of two congregations it is necessary to first understand the historical background of each congregation and any prior relationship between them.

Historical research allows the parties to obtain a deeper perspective of the underlying nature of the congregations, and where land mines may be lurking. Myths that may denigrate the other congregation may exist that have to be faced head on before trust can be built. For example, in cases of historical break between churches, there may be generational resentment that has been festering between the congregations. Although intellectually members of the congregations would most likely disavow this, the history of competition between the congregations for generations needs to be discussed head on. The process contains the opportunity for these necessary discussions.

Trust must be initially built between the leadership of each congregation and between leadership and the consultant. This trust building takes time and a commitment by leadership to interpret everything in the best light possible. Here again, clear communication is the key so that misunderstandings are kept at a minimum. Nothing should be assumed, and questions should be asked and responded to with respect.

Trust needs to be built between progressively wider circles of the congregation by providing healthy organization cues. Clear and abundant communication can help establish trust between leadership and the laity around the collaboration exploration process. An emphasis on the provision of accurate, factual information to all interested persons can help establish trust in the process leaders. There must also be opportunities to create interpersonal relationships between members of the different congregations so that positive experience can counteract any fear-based assumptions people are likely to create. Communication of safety, mutual vulnerability and common purpose needs to be

intentionally included in the process. In this way the congregations can begin to support the process and create common experiences.

Christian scripture is particularly helpful when attempting to build trust between individuals and groups. The early Christian church struggled with internal divisions and many of the issues that collaboration discussions between two congregations bring to the fore in this current moment. The Apostle Paul had much to say to the churches under his oversight. In Romans 12:10, Paul admonishes the members of the church in Rome to “be devoted to one another in brotherly love.” To the church in Ephesus he writes: “Speak the truth in love.” Eph. 4:15. In Galatians 3:26, he reminds the followers that they “are all Sons of God through faith in Christ Jesus.”

Frequent reminders of this unity in faith and essential Christian value of trust in each other must underpin all collaboration discussions. In that regard, the collaboration process must include specific, frequent worship, mission, and outreach events wherein the members of the two congregations begin to create their own joint narrative.

Theological and ritual resources can be used to emphasize right-relationship between the congregations. The extended process necessitated by UCC polity can actually support relationship building in that there is plenty of opportunity to create shared experience if it is consciously planned and implemented. As is the case in all volunteer heavy organizations, a program year can evaporate before much is accomplished unless there is a plan in place.

4) SCAPEGOATING-THE PROCESS HELPS TO PREVENT SCAPEGOATING

Paired with lack of trust is the tendency of people to seek scapegoats when outcomes are not as anticipated. In the case of collaboration discussions, ministerial and lay leadership, as well as an outside consultant, may all be at risk of being scapegoated. This scapegoating may occur not only within the congregations, but by Association, Conference, or even National levels as well. Because National or Conference level leadership may have a vested interest in the successful mergers of some of their congregations, failure to do so may lead to anxiety which may be projected on to the congregational leadership. For instance, blaming the failure of a merger on a congregation's "love of their buildings over their love for the Gospel" can be an oversimplification of a highly complicated process, and lead to scapegoating of the congregations involved in this challenging task.

One of the ways in which to avoid this scenario is to clearly communicate the facts regarding the health of the congregation and the stages of the collaboration process. When detailed, factually supported, impartial information is available for review by members of the congregations the tendency to scapegoat can be countered by the understanding of reality. Further, keeping the Conference apprised of the efforts being undertaken by the congregations gives the Conference deeper understanding of the nuances of the process and appreciation for the efforts of the congregations.

This clear assessment of reality may support buy in by the congregation for the necessity of the collaboration exploration. If a sufficiently invigorating vision can be created, this as well can counter the fear-based motivation that often leads to scapegoating. The independent consultant can be the voice of reason, communicating the vision and the facts as the process moves forward. Support and demonstrated respect of the independent consultant by ministerial and lay leadership will lend credibility to the consultant.

Obviously here Christian theology warns against the dangers of scapegoating. Congregations can be reminded that Jesus was scapegoated by the Roman institutional political system, thus leading to his crucifixion. Christians must not allow themselves to be the perpetrators of such injustice toward anyone.

5) CHANGE OF LEADERSHIP-THE PROCESS HELPS SUPPORT LEADERSHIP

In both the urban and rural case studies, the Senior Minister of one of the churches left before the end of the process. His/her absence left a power vacuum that increased the anxiety around the situation, decreased the trust that had been built between the persons most involved in the collaboration process, and introduced new leadership which did not have the benefit of the historical context of the collaboration discussions.

Because of the extended nature of the necessary time frame for collaboration discussions within the UCC polity, future congregations would do well to avoid this

circumstance if at all possible. Although personal circumstances may arise that require the premature departure of ministerial leadership, it would be helpful to seek the commitment of ministerial leadership to stay in place until a predetermined, reasonable exit point in the process. Without this assurance, the risk of introducing instability in a delicate system is very great and works against continuing collaboration discussions. Accordingly, the process includes the establishment of a Pastoral Care Committee whose purpose is to support the minister and create systems that decrease the likelihood that pastors will experience burnout.

Another tool included in the process that is designed to mitigate against the effect of leadership change, is to hire an independent consultant who is committed to guiding the discussions and guarding the process through to their natural conclusion. The presence of this expert provides continuity and a calming presence in the event that the system is disrupted due to leadership departure. In the rural case study, the independent consultant was able to astutely assess the situation when ministerial change threatened to disrupt the process, and put it back on track.

Additionally, the existence of a strong vision supporting the collaboration discussions can be a solid foundation upon which discussions can rest if the ministerial leadership changes. In that case, new leadership can be appraised of the agreed upon vision and asked to tailor her/his efforts to support that vision, as well as address the congregational needs that the new leadership might identify.

6) OUTSIDE FORCES-THE PROCESS ADDRESSES OUTSIDE FORCES

In the context of this study, there are two outside forces, the UCC regional and national bodies, and the local community, that can possibly have a negative impact on the collaboration discussion. First, under UCC polity, the National body and Regional Conference level can either provide too much interference or too little support. Of course, in this fairly uncharted terrain, the Conference may have difficulty determining what its appropriate role may be.

Coming from a position of anxiety on the diminishing level of influence of the church may cause National/Regional leadership to demand more of the congregations than they are able to accomplish. It is just as easy to blame the failure of successful merger discussions on what a congregation or ministers did or did not do, rather than acknowledge the success of traversing the steep learning curve as far as they were able. I suggest that the balance between interference and appropriate support can be struck from the position of resource provision; such as funds for hiring outside experts, survey administration and pastoral support.

The other outside influence is the community in which the congregations are located. In New England, where this study takes place, small towns were historically incorporated around a Congregational Meeting House. This historic rooting of the town around the “Church on the Green” may not be readily visible today, but it is embedded

deeply in the DNA of the greater community. The picturesque beauty of the white steeple in the center of town defines many New England communities. Therefore, the larger community itself has a stake in whether the church sustains in a particular historic location.

One does not have to venture far in New England to see old Congregational churches abandoned or converted into an historical society or art center. Although these are creative ways of using a physical building, the message of such a conversion gives to the community at large is of the irrelevance of the Christian faith. Further, these converted or abandoned sanctuaries are often in communities that have lost their economic vitality. Thus, congregations may receive pressure from Town constituents to do what they can to avoid the sale of their property, as it may have a negative impact on the character of the community.

Of course, sale of a property may be required for the church to survive. Most merger experts encourage congregations to sell each of their buildings and move to a neutral location where they can establish a new united congregation. However, in New England, leaving the historic “Church on the Green” in the center of the community may have broader negative societal impact than in other places in the United States. The reluctance to sell a building should not in any way inhibit the reinvigorating of the mission of the church, but it is one of many considerations to be taken into account during the decision-making process.

Ways of responding to these outside influences rest again on practicing excellent communication. Congregational leadership must communicate with the conference as to

what it needs and expects by way of support. This stems from having an accurate vision based on the facts of the situation. National and Regional Conference staff must be aware of the potential for negative impact on the process if too much pressure is applied or if insufficient support is provided. When appropriate, remaining cognizant of the impact on the wider community must also be part of the collaboration discernment process.

7) EXHAUSTION-ADHERING TO THE PROCESS RELIEVES EXHAUSTION

Another problem created by the slow nature of decision making in the UCC polity structure is that the ministers, congregation and the broader community are at a high risk for exhaustion. The day to day work of each congregation must necessarily continue uninterrupted simultaneously within the context of the larger future-oriented discussion. This stress is exacerbated by the fact that in the majority of instances, the existing ministerial leadership will be asked to leave if the merger is successful. Accordingly, the ministerial staff is expected to maintain or increase the current vitality of the congregation, navigate the uncertain terrain of collaboration discussions, and work themselves out of their job simultaneously.

Professional staff are most likely already drawn extremely thin in trying to respond creatively to the changing religious dynamics in our culture. Adding the stress of attempting to discern and guide the congregation through the potentially volatile and

uncertain collaboration discussions, which may result in his/her need to leave their present community and seek new employment, leads to stress of an untenable level. The exhausting effect of this process on both the professional staff and the congregation cannot be underestimated.

Great care must be taken to protect the ministerial leaderships' well-being. To this end, the Pastoral Care Committee, or its equivalent, should create a plan of support for the pastor. For instance, it could be decided that periodic guest preachers might free up time for the pastor to devote to collaboration efforts, or that the Congregation provides resources for the minister to have a professional counselor with whom to share his/her feelings and concerns. Valuing the minister in this way throughout the process may help alleviate some of the forces which might lead to a minister's premature departure.

The presence of an independent consultant can help focus energies in such a way that exhaustion can be identified and addressed. The sharing of the burden of supporting the exploration process can provide sufficient stress distribution to curb burn out. Additionally, professional staff will not feel that they need to know all the answers or come up with all the creative solutions alone.

Congregational leadership must be committed to ensuring that the ministers are given sufficient time to do the work of daily pastoral ministry and care by taking responsibility for collaborative discussions and process planning as they deem appropriate. Additionally, Association or Conference level support should be given to alleviate some of the pressures on the ordained clergy. A system could be put in place where the Association or Conference provide occasional pulpit supply, identify potential

independent consultants and provide funding for engagement of said consultant, or pay for a professional counselor to support the minister through this extraordinary time period. To be blunt, this is not “business as usual.” The undertaking of collaboration exploration can be all-consuming if it is allowed to be, and ministers cannot be expected to handle everything without appropriate support. Such expectations far exceed their pay grade.

In neither the case studies, nor existing literature on the topic, did I observe sufficient support of the clergy. Because of the lack of experience by Conference, Association and congregations on how best to support clergy, and a lack of established formal structures, support was insufficient and ad hoc. It would benefit the ongoing ministry of the UCC if a Conference level task force could be created that would provide a menu of supportive resources that they could offer to congregations undertaking a collaboration process. For example, these offerings could include a non-pressuring letter of support and encouragement which includes a list of independent consultants, pulpit supply preachers, counseling resources, a recommended process, and description of financial support available for these resources.

In order to prevent or alleviate exhaustion by the congregation, there must be impeccable communication about the process. The anxiety created by uncertainty can easily slip into emotional exhaustion and lead to a decrease in engagement by members of the congregation. This could lead to a decline in congregational vitality just at the time that increased commitment is needed.

Thus, as the process unfolds, communication needs to be emphasized.

Explanation of the process itself, the vision of the congregation, and accurate data about congregational health needs to be conveyed frequently and clearly. The more enthusiasm and confidence that the professional and lay leadership demonstrates, the greater the chance becomes that the congregation will be able to sustain the stress that collaboration discussions naturally create in its wake. As the process moves forward, joint “belonging cues” must be intentionally provided so that cohesiveness of the group forms and it can withstand stress.

Further, ministerial leadership needs to weigh the value of undertaking new initiatives with the risk of expending too much energy on issues unrelated to the merger discussions. Prioritizing congregational initiatives must be done because there is a finite number of people with a finite amount of time and energy that can be drawn upon for an extended period of time. If collaboration is not sufficiently supported, the discussions will not likely succeed. Yet, if collaboration does not happen, the congregation needs to be well positioned as possible to continue on its own. Though not entirely a “Catch 22” there is a delicate balance that must be struck.

CHAPTER 5: THE DUAL NATURE OF COLLABORATION DISCUSSIONS

Entering into collaboration discussions with another congregation requires courage. The way is unknown. The metaphor of seven wild horses pulling a wagon full of people and things through unknown territory is not far-fetched. Things are apt to get jostled about and people are bound to get bumped and bruised along the way. The prior section recognized the seven forces that are likely to undermine the collaboration discussion.

Now that we've looked the wild horses in the eye, and know that a process can help gentle these impulses, we can turn our attention to the "lay of the land" in order to understand the broader context in which collaboration discussions take place. My unique combination of ministerial and legal training leads me to see collaboration discussion dynamics as simultaneously addressing relational healing and the conducting of non-profit transactions.

Because of the dual nature of the collaboration landscape the minister will most likely not have the skill set necessary to guide the congregation without additional support. Therefore, it is necessary to have experts join on the journey. In terms of our metaphor, we will need an independent consultant on the ground on the relational side of the horse team, while a legal consultant stands on the transactional side, "gentling" the horses and encouraging them to move together at a measured pace toward the goal.

CHURCH COLLABORATION AS CONGREGATIONAL HEALING

Through this project I have come to conclude that the initial work of church collaboration is in actuality healing work. The underlying dynamics are really not about buildings, finances and specific ministries, but rather about human weakness and how to bring out the best in people. Churches can be assured that they will not be left comfortless. (John 14:18). As the body of expertise around this type of work grows, there will be increasing numbers of consultants, ministers and congregations that can share the wisdom they have wrought from their experiences. It is my hope that the insights I share here may contribute to that emerging body of knowledge.

SUPPORTING CLERGY HEALTH

For those readers in leadership positions who are asked to take the mantle of a collaboration discussion, I would recommend that they invest a large amount of energy into doing their own emotional work.²⁰¹ It is important that one is in their right mind

²⁰¹ At this moment in time, because of the lack of an established framework, I am convinced that it takes ministerial and lay leadership with an uncommon level of emotional maturity and professional dedication to engage in collaboration discussions that do not ultimately do damage to existing relationships.

when attending meetings and communicating with larger populations. A less than grounded response to a situation can give the wild horses full reign, and the wagon can be pulled apart and splinter. The process outlined in this thesis provides multiple ways in which clergy can be supported throughout the collaboration discussion process. In the scholarly resources I reviewed, I noted a lack of emphasis on preserving clergy mental, emotional and professional health throughout the process.

USE OF RITUAL TO SUPPORT CONGREGATIONAL HEALTH

The emotional work to be done within the congregations is to enable them to assume a posture of cooperating with what the Spirit has already done in the community. Consistent with the theme of collaboration being a process of healing, it is important to emphasize what Paul wrote to the Philippians: “Do nothing out of selfish ambition or vain conceit, but in humility consider each other better than yourselves.” (Phil. 2:3 NRSV). Trying to live into the “Peaceable Realm” is extraordinarily difficult when past hurts, buildings and finances come into play. Here, however, Christians have the opportunity to use ritual to support them in carrying on the good work of the past into the future. Ritual supports this endeavor by carrying a deeper resonance beyond logic into the soul.

In the rural case study ministerial leadership used ritual to support healing. Before meetings that had the potential of being contentious, ministerial leadership offered

communion. This ritual, which carries deep resonance within the Christian soul, reminds us that we are all a part of the Body of Christ. It allows the communicants to privately acknowledge how each has fallen short of following the Way of Jesus, and refreshes one's commitment to center one's mind, words and deeds in love. Moments of great risk offer the greatest opportunities for healing.

Rituals of Commissioning of joint endeavors were also used to corporately affirm the shared journey the churches were undertaking, and emphasize the broader impact the churches had when they collaborated on particular ministries. For instance, when Church A hired an active member of Church B to reinvigorate its foundering Christian Education program, both churches used a joint "Ritual of Sending" to empower the person in their new role. This ritual within a joint worship service created a healing story to add to the narrative of shared experience.

One place where ritual was not used to its highest advantage in both the rural and urban case studies was in identifying and releasing negative myths and the healing of old wounds. In a circumstance where one church was created through a split from another church, and/or there has been historic competition between the churches, underlying currents of negativity most certainly exist. Ritual can help identify, heal and release these old patterns and fears that may undermine collaboration efforts.

USE OF CONSULTANT TO SUPPORT CONGREGATIONAL HEALTH

This type of healing work should not only rest on ministerial leadership, but may be part of the responsibility of the Independent Consultant. Choosing the right independent consultant is vital to the collaboration process. When I discussed congregational collaboration with congregational consultant, Rev. Sarai Rice, she stated that the importance of engaging a consultant stems from the fact that the members of the congregation are deeply vested in their church, and the ministers are deeply dependent on the members. Thus, common sense dictates the retention of an independent collaboration consultant.

The Independent Consultant's role is to help guide the process through grounding the process in theology and ritual, focusing on the facts presented, and keeping to the agreed upon process. The Independent Consultant must be retained through a rigorous vetting process so that the congregations have respect and trust in the outside authority who will be required by dint of his/her position to speak the truth in love. Additionally, there is a risk of relying too much on the consultant while disregarding the congregation's responsibility to help inform and structure the process.

Healing cannot come to any system when the members are in denial. The Independent Consultant's role as healer allows for unbiased analysis of the facts at hand. The Independent Consultant is indispensable in guiding the process which controls the "seven wild horses" and the other forces of chaos swirling around collaboration discussions. The Independent Consultant should educate the congregations on National and Regional trends in religious attendance, the church life cycle, the impact of grief due

to change, the history of the individual congregations and how they may affect the process.

CONDUCT SURVEY TO SUPPORT CONGREGATIONAL HEALTH

The congregation itself, in order to be proactive in its own healing, can be assisted through the use of a survey instrument designed to identify its institutional health including resources, strengths, weaknesses, distinctive gifts, needs, perceptions, connection with community setting, culture, call to ministry and openness to collaboration.²⁰² The implementation of the survey designed in this study in cooperation with Hartford Institute for Religious Research most certainly highlighted areas in both congregations that are ripe for growth. Ministerial and lay leadership, along with support from the Independent Consultant, can now invest directed healing energy at the places identified. The congregation's financial position must also be assessed and viewed with a clear eye. The Independent Consultant can also help with an unbiased perspective of these facts.

²⁰² See, Appendix 2.

VISION CASTING TO SUPPORT CONGREGATIONAL HEALTH

Clarifying vision, identity and mission is part of the healing process. As we learn from Proverbs. 29:18; “Where there is no vision, the people perish.” The final stage of the relational portion of the process is forward looking. After the difficult healing work is done, a renewed sense of purpose can arise for each congregation. Starting with the survey results regarding vision, identity and mission, and informed by the unbiased analysis of the financial situation and assessment of resources, a vision for the future can emerge.

CONCLUSION

By the end of the relational phases of the collaboration discussion, sufficient healing will be done to prepare the congregation for the next stage of collaboration discussions, and to determine whether there is enough commonality with the proposed partner to warrant continued conversation. If not, the congregation is well positioned to enter into collaboration discussions with other potential partners. The process allows the congregations to move into a deeper relationship with each other from a point of health and strength.

CHURCH COLLABORATION AS NON-PROFIT ENTITY TRANSACTION

USE OF CONSULTANT IS NECESSARY FOR TRANSACTIONAL SUCCESS

Obviously, the collaboration or merger of two or more nonprofits have legal implications that must be taken into consideration. Engaging an expert or consultant will not only help balance transparency with discretion, but is recommended in any nonprofit merger.²⁰³ The Nonprofit Times lists the use of a merger facilitator as contributing to successful mergers.²⁰⁴ Legal experts recommend that nonprofits which are exploring merger consider several questions early in negotiations.²⁰⁵ I believe that versions of these core questions should be part of the initial congregational collaboration deliberation. They include:

²⁰³ Not only is expert guidance recommended in merger negotiations, but hiring a consultant when creating collaboration, affiliation or strategic alliance agreements is also recommended. Bhakti Mirchandani, “How to Save a Nonprofit: The Care Steps Required in Mergers and Acquisitions.” August 15, 2018. <<https://nonprofitquarterly.org/2018/08/15-how-to-save-a-nonprofit-mergers-acquisitions/>>

²⁰⁴ Mark Hrywna, “10 Keys for Success for Nonprofit Mergers.” The Nonprofit Times, October 20, 2016. <<http://www.thenonprofittimes.com/news-articles/10-keys-success-nonprofit-mergers/>>

²⁰⁵ Jerald A. Jacobs, “Legal Resource, Ten Questions to ask when beginning nonprofit merger discussions.” Reprinted with permission from the Association of Corporate Counsel (ACC) 2014. <<https://m.scc.com/legalresources/publications/topten/beginning-nonprofit-merger-discussions.cfm?>>

1. Are the advantages of merger greater than the advantages of remaining separate entities? i.e. Will the two entities clearly be “better together?”
2. Are there special circumstances or unique factors that make this an opportune time to merge?
3. Are there clear deal-breakers on either side? (location, signature ministries, money ethic)
4. Is either organization unwilling to change its culture?
5. From where does support for a merger emanate? Is there broad-based support or only from a segment of the membership or leadership?
6. Are there unrealistic expectations about fairness? (staffing, building, committee seats)
7. Where is opposition likely to emerge and can consensus be built?
8. What is the realistic timeline for decision making? (This is of particular concern in the UCC polity in which congregational vote is necessary for a decision of this magnitude).
9. Are there substantial risks facing either organization?
10. What is the fiscal cost?²⁰⁶

One of the central errors in the urban case study was the lack of reliance on experts of any kind, which often led to issue avoidance until very late in the discussions. This was one of the factors that led to the ill feelings between the congregations when the merger was rejected. Additionally, as the process progressed there was insufficient

²⁰⁶ Ibid.

communication to manage the anxiety level in the congregations and combat rumors and undermining. It is important to identify steps, give congregants many opportunities to provide their input, and be aware of how and when intermediate and final decisions are made.

Mann suggests the use of a consultant as a “shuttle diplomat” between two congregations that are determining fit, in order to address sensitive issues without endangering the ongoing relationship.²⁰⁷ Although the entire congregation needs to support the process of deliberation, some of the more difficult issues need to be treated with a high degree of discretion.²⁰⁸ Mann suggests “clear written guidelines” to help leaders determine what, when and to whom one can share information.²⁰⁹

CREATION OF MERGER COMMITTEE IS NECESSARY FOR TRANSACTIONAL SUCCESS

Organizations considering a merger usually create a joint merger committee.²¹⁰ The purpose of the committee is either to craft a compelling agreement or to recommend that the organizations not merge.²¹¹ The committee does not have the authority to

²⁰⁷ Mann, Synergy, 4.

²⁰⁸ Ibid.

²⁰⁹ Ibid.

²¹⁰ Doug Toft, “Negotiating a Nonprofit Merger: 10 Key Items for Your Agenda.” MissionBox Global Network, Oct. 1, 2018.
<<https://www.missionbox.com/article/483/negotiating-a-nonprofit-merger-10-key-items-for-your-agenda>>

²¹¹ Ibid.

authorize a merger.²¹² In business terms, a merger committee typically includes the executive director and board chairs of each organization.²¹³ In the case of congregations, the Moderator and Vice Moderator would logically be included on the committee.

In addition, the clergy in the urban case study believed that it was a mistake to not have clergy included on the merger committee, thus I would recommend that Senior clergy also be included. However, it is recommended that the Executive Director (here, Senior Clergy) not run the meetings so that it is clear that the merger is ultimately a board function.²¹⁴ Additionally, Toft suggests that the committee includes a member who has a reputation for “creative dissent.”²¹⁵ The scope for this merger committee would include questions of governance, finances, staffing, property, and the due diligence exchange of documents.²¹⁶ It is also recommended that leaders consider “cultural alignment” when determining the advisability of a potential merger.²¹⁷

FULL INSTITUTIONAL SUPPORT IS NECESSARY FOR TRANSACTIONAL SUCCESS

²¹² Ibid.

²¹³ Ibid.

²¹⁴ Ibid.

²¹⁵ Ibid.

²¹⁶ Ibid.

²¹⁷ Hrywna, 2.

In successful business mergers, both informal and formal leaders are in alignment with the merger goals and process.²¹⁸ This is affirmed by research conducted by the Kellogg School of Management at Northwestern University which concluded that CEO, board chairs and management staff involvement is critical to merger success.²¹⁹ In a congregational setting I would suggest that this need for involvement goes even deeper into the membership of the congregation. Further, the most successful mergers are “mission-driven,” with all parties having clarity about the overall goals and how merging is a strategic mechanism to achieve those goals.²²⁰

Although this is indeed true, there must also be enough time spent looking at the difficult issues surrounding the merger of two congregations. In the urban case study, the parties reflected that too much time was spent “visioning” the “new thing” they were going to bring forth, rather than addressing financial and cultural differences. The visioning was fun--the legalities were not. Had these basic incompatibilities been addressed early on, the parties could have moved on to exploring other collaborative opportunities with less acrimony.

ENGAGING LEGAL COUNSEL IS NECESSARY FOR TRANSACTIONAL SUCCESS

²¹⁸ Mann, *Synergy*, 4.

²¹⁹ Hrywna, 2.

²²⁰ Ibid.

Because of the complex legal nature of formal collaboration agreements, legal counsel should be engaged as soon as the parties believe there is sufficient commonality to pursue discussions. It is important that each congregation retains their own counsel so that they can be forthright and candid about any potential liability issues. Attorneys can make a preliminary assessment of the legal viability of the proposed merger or alliance before too much energy is invested into the negotiation. Although there are a variety of ways short of legal merger that churches can work together, any formal strategic alliances or affiliations will require a written agreement to delineate the responsibilities of the parties. Legal counsel can help guide the parties in choosing the appropriate legal vehicle to accomplish their collaboration goals.

CONCLUSION

Church merger discussions require the parties to be cognizant of the spiritual work of relational healing, often considered the purview of a ministerial call, and as well as the business/legal transactional concerns of a nonprofit reorganization. This requires a diverse skill set rarely possessed by one individual. These complexities stretch the parties involved to consider broad based issues in an emotionally charged environment. Thus, the appropriate use of outside consultants and an effective process for holding the work, can facilitate successful outcomes.

CHAPTER 6: PROPOSED PROCESS-A ROADMAP TO SUCCESS

Before a church chooses to move its wagon onto “Merger Way ” it is imperative that it explores all other avenues first. It is necessary to make sure a congregation has tried most of the approaches recommended by church revitalization experts such as social media presence, live streaming, up to date website, outreach activities relevant to your community of interest, etc. A congregation needs to be able to say, “yes we have tried that,” before entering into exploring merger discussions with another congregation. It is unfair to both congregations to enter into a relationship, and then sidetrack midway to expend energy on “revitalization” projects.

If a church has tried all of the revitalization techniques that it is interested in, and is still running in place or declining, then clergy may hear from his/her parishioners, or she/he may brooch the subject with the Church Council-- “Is it time to look at other options?” If the answer to that question is “yes,” then the proposed process below may be of interest. This process integrates all of the information from the prior sections into a comprehensive whole. The collaboration discussion process is divided into five distinct stages: Education, Exploration, Preparation, Negotiation, and Culmination. Each stage is relational in nature, while stages 4 and 5 are particularly transactional.

This process is intended to gentle the “seven wild horses,” and recognize the dual nature of the collaboration process. By communicating to the members of the

congregation the process at the outset, and identifying where in the process the congregation is currently located (where they have been and where they are going), the process itself will help alleviate anxiety and counteract exhaustion. The guidance of a qualified consultant and legal counsel is vital to the success of the process. Christian theology should surround the entire process, and keep all participants' hearts and minds focused on following the Way of Jesus.

EDUCATION STAGE

The purpose of the Education Stage is to become informed about the institutional position of the congregation in light of current national, regional and denominational trends. Church leadership needs to holistically review the relevant data regarding membership and worship attendance trends, finances, programming and church history. If, even after exhausting options regarding church growth, downward trends are still apparent, then church leadership may choose to begin considering collaboration. The Education Stage consists of hiring a consultant who conducts educational forums and assists in the development of a congregation “Vision, Identity and Mission Statement.” The congregation then determines its openness to pursuing collaboration discussions with another congregation.

The consultant must be hired in accordance with congregational procedures, including references, number of potential consultants to consider, and manner in which

decisions to hire are made. The Conference or Association may be a source of potential candidates. The consultant must be someone who has, or can obtain, the trust and respect of the congregations. Having an outside consultant will assist in communication, facing the facts of the situation, and overcoming congregational ambivalence.

In order for the consultant to effectively do his/her job, the congregation needs to be forthcoming with all relevant financial and institutional data. The consultant should be provided with the basic historical background of the congregation and any prior collaborative relationships. Further, the consultant should be given access to an honest overview of the congregation's ministries, and personal and financial resources. Clear communication and sharing of this information allows the consultant to orient the congregation in its historical arc, and allow the congregation to make a clear assessment of their long-term viability. This step allows trust to be built between the consultant and the congregations, and can build a bulwark against scapegoating and ambivalence.

The consultant's preliminary task is to educate the congregation on national, regional and denominational trends, church history, life cycle, grief process, how to have difficult conversations, and theology. Although the consultant has a vital role to play, it is important that congregational leaders avoid the tendency to rely entirely on the consultant. Although the consultant may have expertise, leadership knows things about the congregation that the consultant does not. Therefore, church leadership and the consultant need to have an excellent working relationship, with clear directives from the leadership team as to what is expected from the consultant.

Each of the particular areas of education outlined above provide valuable information to the congregation to help them understand the context of their own congregation, understand the potential need for collaboration discussions, and engender enthusiasm for the prospect of possibly pursuing a joint ministry. Providing a synopsis of these trainings in print material and within all church communication networks, including newsletters and private church social media accounts, allows the communication to be multifaceted and wide-reaching.

Upon completion of the contextual overview of the congregation, the consultant assists the congregation in determining its Vision, Identity and Mission. The church schedules a congregational workshop, led by the consultant, to identify value-based non-negotiables. Individuals identify their personal “why” for being involved in this particular faith community, and then corporately build from there the church’s “why” based on Gospel values. The workshop culminates with the creation of a Congregation Vision, Identity and Mission Statement. This process engages the congregation in envisioning a vital and empowering future based on their lived experience and core values. Again, the agreed upon Vision, Identity and Mission Statement should be communicated to the congregation as widely as possible.

Once the congregation has an understanding of who they are within the broader context of New England United Church of Christ faith communities, there can be a discussion of whether they are open to the idea of searching for a suitable congregation with whom to pursue collaboration discussions. A Congregational Meeting and vote allows for the open discussion of the issue and provides an avenue in which the

congregation can become vested in the process. The congregational meeting should discuss basic facts about the status of the congregation and offer the potential for a hopeful future. Voting on the plan allows for trust in the process to be built, and is a means to withstand the risk of exhaustion that moving into this process entails.

If the congregation votes against exploring collaboration, they have still gained deeper insight into who they are as a community of faith, and how they desire to live out that faith in their community. If the congregation votes in support of exploring the potentiality of suitable collaborators, then they are appropriately prepared to move to the next stage.

EXPLORATION STAGE

The purpose of the Exploration phase is to identify suitable potential collaboration partners. Church leadership makes suggestions to the minister of possible contact congregations. This ensures that the process begins from within the congregational leadership, as opposed to being imposed from above or by an outside force such as the Conference. This clear communication between ministerial and lay leadership indicates a foundational level of commitment by the congregation. The Exploration Stage consists of empowering the minister to undertake outreach to specified congregations, and the subsequent engagement with any interested congregation in a Joint Exploratory Conversation facilitated by the consultant.

To commence the Exploration Stage, congregational leadership empowers the ministerial leadership to engage in open communication with one or more identified churches. The minister reports back to church leadership the result of those conversations. If there is a congregation that expresses interest in further discussions, that congregation needs to go through the Education Stage above, so that the parties can be on a level playing field. The congregation may choose to use the same consultant or hire another.²²¹ However, it is important that similar information is provided so that both congregations are starting from the same place.

Once both congregations have exhausted all other options, been educated on their congregation's position within a broader context, been trained on how to have difficult conversations, and formed their own Vision, Identity and Mission Statement, then the congregations can have a consultant-moderated Joint Exploratory Conversation with a larger group of congregants and ministers. Ideally a small group of congregants from various demographics within each congregation meet together to determine the level of interest in pursuing collaboration discussions. This conversation assures that interest stems from the ground level and is not imposed from above. Ambivalence is addressed by clear communication of the current factual situations, and potential vision-casting of what might be possible if collaboration discussions are successful.

If the parties decide at this early stage that there is an obvious incompatibility, then the congregations have learned more about themselves and each other, and have prevented going deeper into discussions that would ultimately fail. The congregations

²²¹ If there are to be two consultants, one for each congregation, then they need to have an extremely healthy work relationship. If the same consultant is hired, the Education Stage allows the consultant to develop a trust-based relationship with the second congregation as well.

are empowered to continue to find a more suitable potential collaborator. If, on the other hand, there is a level of enthusiasm around potential collaboration, then the congregations move the Preparation Stage.

PREPARATION STAGE

The purpose of the Preparation Stage is to create the support networks necessary to enter into serious collaboration discussions with another congregation, conduct a health assessment and collaboration interest survey, address any health issues exposed in the survey, and determine the mutual suitability of the potential partner. The preparation stage is necessarily robust and includes the creation of a Joint Advisory Board, the intentional provision of support for ministerial staff, the request for support from denomination Conference and/or Association, the creation of common stories through joint experiences, conducting a survey and analyzing the results. The Preparation Stage culminates in a separate vote by each congregation on the advisability of moving forward to the Negotiation Stage.

If there is sufficient enthusiasm at the end of the Exploration Stage for the idea of pursuing collaboration discussions, then a core group comprised of clergy, moderators and vice moderators of both churches convene a Joint Advisory Board. The purpose of this group is to embody a leadership group that has the trust of the congregations which will guide the congregations through the rest of the process. The members of this group

should be clearly identified for each congregation, and available to parishioners to address concerns and answer questions throughout the process.

Because of the stressful nature of the collaboration exploration process on ministerial staff, a Pastoral Care Committee of each congregation convenes to pledge commitment to the care of the pastor. By acknowledging the great challenges the minister will be facing, and seeking to identify the unique ways the minister would welcome support, the Pastoral Care Committee helps prevent clergy exhaustion and a change of ministerial leadership. Also, having a group with intimate knowledge of the stress on the minister and committed to his/her care can help prevent potential scapegoating of the minister.

It also should be noted that other staff are also under stress in these situations. Those staff members with consistent and close contact with church members, such as the Church Administrator, Music Director, and Children/Youth Education Supervisor are often the point person for communication. If he/she is not adequately informed about the stage and status of the process, he/she can become frustrated and set a less than positive tone when communicating with parishioners. Consistent and adequate communication, both verbal and written, is necessary to create a cohesive administrative team and counteract increasing anxiety levels.

Senior Ministers of both churches should enter into a coaching relationship with the consultant. In terms of the metaphor, if there are two drivers on the wagon both of whom are sharing control of the reins, they must be pulling in the same direction. In order for the discussions to progress, it is necessary that the ministers of the

congregations have impeccable communication, trust and respect for each other. The consultant can help to alleviate the stress on the ministers through this coaching. Coaching also can help stave off exhaustion from the feeling of going it alone, prevent premature departure of the minister from his/her position, and create an environment in which scapegoating of the other clergy can be avoided.

Communicating with the Conference and Association level of the denomination the task that the congregations are undertaking allows for the receipt of available resources, both financial and organizational. The congregations always have the right to decline such resources, but it is important to ask for what is needed and see what is available. This open communication addresses several concerns including, supporting ministerial leadership, alleviating exhaustion, encouraging trust in outside forces, and giving them the opportunity to offer support. Further, communication can help avoid scapegoating of the congregations by the Conference/Association and vice versa.

Congregation leadership should begin low-threat collaboration activities such as joint fellowship opportunities, worship, rituals and service initiatives. Enthusiasm for a potential shared future must be built in the present. The relational component of the process must be invested in. It is important to bring members of both congregations together in shared experience, including meetings and worship services, to talk with each other.

Joint experience builds trust, addresses exhaustion, prevents scapegoating, and counteracts ambivalence. Ministerial and lay leadership should work together to create and communicate a plan of joint engagement that stimulates congregational involvement.

If the churches have a common origin, or a history of competition in the community, this would be the appropriate time to address those underlying tensions. In these circumstances both theology and ritual have a key role to play in creating bonds of Christian fellowship.

Further, investing time and resources into undertaking a Congregational Survey gives each congregation deeper insight into their own institutional condition, as well as provides a starting point for assessing compatibility. Communicating results from the survey will give each congregation a clearer picture of themselves and will be used for vision-casting at a later stage. Acknowledging one's strengths and weaknesses helps a congregation know who they are and may prevent scapegoating and counter ambivalence.²²²

After survey completion, congregational leadership shares with each congregation individually the results of their own survey. If points of unhealth or growth are identified, steps are determined to address these problems. At this point, a congregation may decide they need time away from the collaboration discussion process to put their own house in order. If so, the other congregation must decide whether there is sufficient potential to pause the discussions, or if they want to start the process again with another congregation. If no major points of concern are found in the survey, then the results are shared with the Joint Advisory Board.

Full survey results of the home church, and agreed upon results of the companion church, are shared at separate Congregational Meetings. The results should communicate

²²² This project worked with Hartford Institute for Religious Research to develop a focused survey instrument for this process. See, Appendix 2.

core competencies that support, or core differences that prevent, moving further into collaboration discussions. Issues to consider include whether the strengths and weaknesses of each congregation complement each other, and whether there are non-negotiables by either congregation that makes further discussion moot.

Finally, each congregation separately votes on whether to continue the process. Clear communication up to this point allows for trust to be built between the congregations, and for the congregations to become invested in the process. Having a decision-making point for the congregations gives a touch point that counters fatigue, and seeing the results of the survey may counter ambivalence. Prior to the congregation voting, it would be prudent to update the membership rolls so that accuracy and integrity is ensured in the voting process.

If either congregation votes against continuing the process, each church has gained a deeper understanding of themselves and is better able to search for a suitable collaboration partner, having saved much time and energy in further pursuing an inadvisable collaboration. If the vote is in the affirmative, then the congregations enter into the more specific Negotiation Stage.

NEGOTIATION STAGE

The Negotiation Stage is by far the most intense phase of the process. The purpose, to determine legal, programmatic and relational viability, is multifaceted. The

initial step of the Negotiation Stage is to determine whether the churches can agree on a Joint Vision, Identity and Mission Statement. If there is success in creating a Joint Vision, Identity and Mission Statement, then Joint Affinity Teams are created to address legal, programmatic and relational viability of collaboration. Finally, a Draft Procedures & Practice Plan, and a Non-binding Term Sheet are created. The Negotiation Stage concludes with a congregational vote on the key terms, and a directive to draft Articles of Merger.

First, under the guidance of the consultant, and in consultation with the Joint Advisory Board, the Vision, Identity and Mission Statements of each congregation are reviewed and celebrated. Each congregation can be proud of how they respond to God's call in the community. The process allows the congregations to communicate who they are based on the thorough process of education and introspection they have undergone.

The task then is to determine whether a satisfactory Joint Vision, Identity and Mission Statement can be drafted and agreed upon. Because the congregations have already determined in the prior stage that their Vision, Identity and Mission statements are reasonably aligned, the task here is to determine whether anything was brought to light in the survey that prevents the congregations from even deeper alignment.

The purpose of this statement would be to create a forward-looking Vision, Identity and Mission of the "New Church." This is a test of whether the impetus behind the collaboration is merely saving the existing churches or if the congregations have seen the desirability and necessity of responding to the current religious landscape by creating something new. The process of creating a Joint Vision, Identity and Mission Statement

for a collaborative relationship must be driven by the congregation, and not imposed by leadership.

A joint meeting with both congregations, led by the consultant, is convened to create broad parameters for the Joint Vision, Identity and Mission Statement. Roger's "picture metaphor" (see, Literature Review section) can be useful in negotiating these parameters. A smaller group of congregants from both congregations is then charged with crafting the exact wording and presenting the final statement.

Up to this point, the process has allowed the congregations the opportunity to get to know themselves and each other better, so ideally, either result can have a positive outcome. If it is determined that there is too much divergence of Vision, Identity, and Mission, then the congregations can celebrate their distinct expressions of God's love. Alternatively, if the small group is successful in drafting a Joint Vision, Identity and Mission statement, then they present the statement to each congregation for a vote. If both of the congregations vote in support of the statement, then the process moves further into the Negotiation Stage. The agreed upon Joint Vision, Identity and Mission Statement anchors all of the following negotiations.

As soon as a Joint Vision, Identity and Mission Statement is agreed upon, each congregation must hire its own legal counsel to undertake research into whether there are any threshold legal issues that prevent deeper collaboration. Each congregation needs separate legal representation so that members of the congregation can be forthright with any potential concerns such as potential lawsuits or financial mismanagement. If core church leadership, in consultation with legal experts, determine that a deeper

collaboration is not inadvisable, then Joint Affinity Teams composed of members from both congregations, are created around the specific issues of Legal Viability, Programmatic Viability, and Relational Viability.

A joint worship service should be conducted at which Joint Affinity Teams addressing designated issues are commissioned through a ritual designed to affirm the process and its participants. Each team uses the communication skills it learned during the education stage to attempt to come to an accord on issues. One member of each Affinity Team should be designated to communicate to a minister or to the consultant if at any point warning signs of negotiation break down or impasse appear. Additionally, the “picture metaphor”²²³ suggested by Rogers (see, Literature Review) can be a useful tool to employ by the members of the Joint Affinity Teams when attempting to come to agreement.

If difficulties are encountered, the consultant, lay or ministerial leadership, can help ground the discussion in the Joint Vision, Identity and Mission Statement. The Senior Minister, Moderator and Vice Moderator all need to be closely attendant to these discussions, whether sitting ex officio or given contemporaneous notes of meetings. The Consultant may be required to work as a shuttle diplomat if there are sensitive issues that the Joint Affinity Teams are having difficulty resolving. The attorneys can help provide clear evaluation of the facts as necessary.

With regard to Legal Viability, three vitally important Joint Affinity Teams need to be formed which address Finances/Asset Management, Governance/Staffing and

²²³ Rogers, 61-63.

Location/Name. These issues are potentially the most conflict laden topics that the parties will face.²²⁴ Consequently, the formation of these Affinity Teams requires well thought out membership. Members of these teams should be chosen, most likely by the Minister, Moderator, and Vice Moderator of each congregation, based on the individual's knowledge and experience, integrity and diverse worldviews. Further, it may be advisable for these team members to agree to a Confidentiality Agreement during the negotiations so as not to stir up resentments within the congregation during points of impasse that may ultimately be resolved. Each congregation's attorney will work with the legal viability Joint Affinity Teams to conduct formal due diligence inquiries (see Appendix 3, Due Diligence Request Sheet) including legal, financial, personnel, environmental, tax, material contracts, litigation, insurance, and professional services information. Documents will be shared with mutually agreed upon leadership of the other congregation who will be requested to sign a confidentiality agreement as appropriate.

With regard to Programmatic Viability, the congregations create Joint Affinity Teams charged with envisioning future ministries within a common context. Members of the group can come from existing committees, (such as Deacons who may be interested in worship) but are not limited thereto. The Joint Affinity Teams should cover all institutional mission related issues, including: Worship, Outreach, Service, Christian

²²⁴ Questions regarding how to spend money; such as whether a balanced budget is necessary, and under what conditions, and by what calculation monies can be withdrawn from endowments, and who retains control of those endowments can be critical points of disagreement. Further, the question about what to do with church buildings can be highly contentious. Also, disagreement with regard to staff retention and the form of joint governance can create resistance.

Education, Youth Programming, Adult Programming, Music, Hospitality, Stephen's Ministry, Social Media and IT, Stewardship, and other relevant subgroups.

The process of determining programmatic viability can potentially strengthen relationships and encourage congregant enthusiasm based on vision-casting. The Programmatic Viability Affinity Teams, with the help of the consultant, will ultimately draft a Proposed Procedures and Practice Plan for the new church. Upon its completion, representatives of the Programmatic Viability Affinity Team will jointly present their recommendations to both churches, explaining its proposals and how they came to their recommendations. It should be emphasized that these are proposals only, and that the issues will be finalized through the process of actual implementation if and when the new church is formed. This Proposed Procedures and Practice Plan is intended to create a vision for how the new church will live into its Vision, Identity and Mission Statement, and build a sense of enthusiasm for the collaboration.

During the Negotiation Stage it is imperative that relationship building continues so that trust can be built, and as many members of the congregation become comfortable (and even enthusiastic) about the potential joint endeavor. Lay and ministerial leadership are encouraged to meet one-on-one with congregants who have specific concerns that are contributing to resistance to any future collaboration. In order to increase the chance of successfully creating a sense of cohesiveness, a Relational Viability Affinity Team made up of members from both congregations should be enlisted to intentionally create opportunities for relationship building through joint worship, fellowship and service.

The Relational Viability Team and church leadership should consistently offer messages of safety--we are connected to one another; shared risk--we are vulnerable together; and purpose--we are part of the same story. This messaging must be intentionally communicated through multiple channels. Continuing to communicate what the process has covered so far, and what the anticipated next steps are, can decrease stress and anxiety. This emphasis helps promote congregational buy-in of the process.

In some cases, issues will have presented themselves that preclude merger. In that case, the Ministerial and Lay Leadership of both congregations must jointly communicate in clear non-blaming terms the reasons for leadership's recommendation that the merger discussions end. Even if this is the case, it is possible that lesser degrees of collaboration may be successfully pursued. The attorneys should explain to the congregational leadership the full spectrum of affiliation options; from co-venture or strategic alliance on one particular ministry, to complete entity merger. Lesser forms of collaboration may be a viable option, especially if healthy relationships between individual congregants have grown through this process.

Alternatively, if the Legal Viability Affinity Team has arrived at consensus on the issues under the team's consideration, then the attorneys can draft a non-binding term sheet. The non-binding term sheet provides a blueprint for key legal provisions regarding Finances/Asset Management, Governance/Staffing and Location/Name. Representatives of the Legal Viability Affinity Team present their written recommendations to the Church Councils of each individual congregation. Questions and concerns are identified and addressed as necessary. Once a final non-binding term sheet has been agreed upon by

both congregations' Church Councils, then a Congregational Meeting should be held. This meeting should occur a few weeks after the Proposed Procedures and Practice Plan has been disseminated. This timing provides an opportunity for enthusiasm to build around the joint vision in the Proposed Procedures and Practice Plan.

At the individual church's Congregational Meetings, Legal Viability Affinity Team members should explain the non-binding term sheet and how they came to their recommendations. Legal Counsel should be present to answer any questions that the congregation may have. The Church Council should state that they have reviewed and recommend the document. A congregational vote then takes place to determine whether or not to approve the key terms and direct the attorneys to draft Articles of Merger. If the vote is in the affirmative, then the process moves to the Culmination Stage.

CULMINATION STAGE

The final stage addresses the practical and legal issues including finalizing Articles of Merger, Constitution and Bylaws, as well as the creation of search and call profiles for a designated minister and other new staff. It provides the opportunity for physical house-cleaning, moves the congregations through the final voting process, and culminates in the creation of a new congregational identity.

In the Culmination Stage, Church leadership will direct the attorney to draft Articles of Merger based on the approved non-binding term sheet. Issues addressed in

the Articles of Merger may include bequests, articles of incorporation, assumption of liabilities, etc. The attorney may recommend the retention of financial experts to advise on asset transfer, tax consequences, and payment of creditors. The attorney should review all separate agreements to ensure that they make sense as a whole.

A joint committee should be convened to draft a constitution and bylaws for the new church. These should be provided to the attorney for review. The consultant should be available for consultation if there are areas of disagreement.

A joint committee should be convened to create a profile to commence a search and call process for a Designated Minister. This Designated Minister should have a job description focused on bringing the church together around its Vision, Identity and Mission. It is important to be very clear about the kind of skill set required of the Designated Minister since much of the work traditionally done by Interim/Transitional Ministers has already been undertaken by the congregations in the earlier stages. Traditional Interim Minister or Transitional Minister training may be insufficient or at cross purposes to helping support and guide the new congregation into a cohesive identity. The Designated Minister will help the new congregation enter into the search and call process for a settled minister. The new congregation may find it desirable to call a settled minister with a skill set akin to that of a “new church plant” minister.

The new church may require new staffing, including: Office Administrator, IT Director, Marketing Director, Sexton, Music Director, Organist, Christian Education Director etc. Using the recommendations of the relevant Affinity Team, a hiring process

should be commenced to create this new complement of staff. Appropriate background checks should be conducted on all staffing candidates.

Whether or not the congregations are selling one or both of their prior church properties, or intending to use them in new ways, a “spring cleaning” should be done. As a new future unfolds, the members of the congregation need to dispose of outdated items, and create a new shared space. The disposition of some items might actually be a point of contention or the focus of displaced grief. The consultant should be available to mediate any disputes.

Once the Draft Articles of Merger have been presented to the individual Church Councils for review, it is most likely that they must be ratified through a congregational vote. States have varying requirements regarding voting. Legal counsel should advise on the appropriate procedure.²²⁵ As the key terms have already been approved by congregational vote at the end of the Negotiation Stage, this vote should be merely a formality. If the motion passes, then the attorney will file the Articles of Merger with the Secretary of State, or other appropriate body.

The first act of the new congregation should be the passing of the Constitution and Bylaws. The congregation should appropriately honor departing staff and welcome the new staff. In particular the ministers, and members of the Joint Advisory Board and Joint Affinity Groups, should be acknowledged and thanked for their efforts in guiding the congregations through what, presumptively, was a multi-year process. The entire new

²²⁵ See, e.g., CT Gen. Stat. § 33-264e (2012) requiring a vote of two-thirds of those members present at a meeting duly noticed and held for the express purpose of voting on a non-profit dissolution in order to be legally dissolved.

congregation should celebrate their perseverance and determination in allowing themselves to be a conduit for the Holy Spirit to do “a new thing” through them.

The Designated Minister will guide the congregations’ transition through these final steps as they begin to form a new identity. The Proposed Procedures and Practice Plan, developed by the Joint Programmatic Viability Affinity Group, will become the starting point for the new congregation’s life together and ministry actions. It would be advisable to provide a retreat opportunity for the members of the new committees to build relationships and focus on the Vision, Identity and Mission of the new church.²²⁶

The new congregation is now empowered by a deep understanding and appreciation of who they are and how they are called to fulfill God’s mission in the world. They have grown together through navigating a challenging situation, and are well positioned to thrive in their current religious context. The journey has been well worth the effort.

²²⁶ It may be worth considering whether outgoing committee chairs, and especially the Moderator and Vice Moderator, who helped guide the collaboration efforts, stay on the committee for a period of time *ex officio* so as to provide support and continuity to the emerging committees.

CONCLUSION

In this doctoral thesis it is my hope that I have helped the reader understand the particular context of New England congregations of the United Church of Christ, as they consider whether to journey together into deeper collaboration. Reflecting back on the metaphor I have employed, we can see that we have done the following:

- looked at the road behind us to see the particular context of the United Church of Christ in New England,
- looked the seven wild horses in the eyes and discovered that a process can be useful to help gentle them,
- remembered that Christian churches have the special resources of theology and ritual to stabilize the wagon,
- gotten a lay of the land, and acknowledged that we need support from legal experts and independent consultants to guide the wagon through the dual landscape of relational healing and nonprofit transaction,
- identified the destination through the development of a Joint Vision, Identity and Mission Statement,
- helped the congregants feel safe in the wagon together, and decide what they want to bring along,
- encountered hazards along the way and learned how to navigate them,

- supported the clergy and helped them work in consort, with their four hands on the reins, heading in the same direction, and
- moved steadily toward the Kingdom of God.

Although courage is required to embark on this journey of collaboration discussions, congregations no longer have to be without support. The process outlined herein can give ministerial and lay leadership the confidence to move ahead, knowing that in the end they will be certain to celebrate each other's particular gifts, and perhaps create a joint future together. It is my hope that this study can become a resource for other New England United Church of Christ congregations who are about to get on board their wagon and release the horses. May we all reach the ultimate destination: To fill the world with love.

APPENDIX (1) MEMORANDUM OF UNDERSTANDING

Memorandum of Understanding (redacted)

between

The Reverend Sandra L. Fischer

and

Church A

Church B

Purpose and Scope

The Rev. Sandra L. Fischer is engaged in the pursuit of a Doctor of Ministry degree at Hartford Seminary. The degree requires the completion of a Ministry Project. Pursuant to Hartford Seminary requirements, said Ministry Project must “address a significant situation or issue within the student’s ministry setting....While it is expected that the Ministry Project will be grounded in the student’s particular faith community, the project must also have relevance to the wider community and contribute to the general body of knowledge about and practice of ministry.”

Due to sociological forces Church A and Church B have begun to explore the possibility of a more intentional collaborative relationship between the two congregations. This issue is a “significant situation” within Rev. Fischer’s ministry setting, and studying this process would “contribute to the general body of knowledge about and practice of ministry” in the current religious climate, especially in the wider community of New England.

Therefore, Rev. Fischer seeks to use this issue as the subject of her Ministry Project, the working title of which is *Creative Collaboration: An Analysis of Evolving Cooperative Agreements within Local Clusters of Congregations to Enhance Mission Driven Outcomes and Increase Congregational Vitality and Viability*.

Rev. Fischer was a Member in Discernment and ordained through her relationship with Church A. Rev. Fischer completed the Field Education component of her Master of Divinity degree at Church B, and is currently called to serve Church B as part-time Associate Minister of Adult Spiritual Life and Outreach. Church A and Church B wish to continue their support of Rev. Fischer's educational and professional ministerial goals by allowing her to use their inter-congregational relationship as the topic of her Doctor of Ministry Project.

Conditions and Arrangements

In order to avoid any appearance of impropriety or potentially wield undue influence in the ultimate outcome of the process, Rev. Fischer will remain as an observer of the process in which the two congregations are engaged. However, it is necessary for Rev. Fischer to be privy to the nuances of the process in order to gain sufficient knowledge and expertise to enhance the general body of knowledge regarding church collaboration. Therefore:

Rev. Fischer may attend as an observer, not participant, all proceedings, including but not limited to the following:

- drafting of survey questions to be used by each congregation,
- group analysis of the results of said survey,
- joint congregational meetings discussing said results,
- all Church B Council, congregational and task force meetings discussing issues relevant to the process and/or outcome,
- all Church A Council, congregational and task force meetings discussing issues relevant to the process and/or outcome, unless specifically directed not to attend by Church A Council. In those instances in which Rev. Fischer's attendance is deemed inappropriate by Church A Council, Church A will timely provide Rev. Fischer with detailed contemporaneous notes and minutes of said meetings.

Rev. Fischer may not attend meetings of the leadership group comprised of the Senior Ministers, Moderators and Vice Moderators of both churches. However, the

leadership group will provide Rev. Fischer with timely detailed contemporaneous notes and minutes of any and all meetings.

Rev. Fischer agrees to refrain from answering the survey on behalf of Church B. She further agrees to abstain from voting, both in Church Council meetings and congregational meetings, on any matter relevant to this process or outcome. She further agrees to keep in confidence any non-public information of which she gains knowledge.

In order to allow Rev. Fischer to fulfill her responsibilities to her call as a minister of Church B, Rev. Fischer remains free to discuss the process and all public information with her Church B ministerial colleagues, Moderator and Vice Moderator. Further, in order to ensure accuracy and maintain academic integrity, Rev. Fischer remains free to seek clarification of meeting notes and minutes from any meeting which she did not attend for whatever reason from any leadership group or congregation member, as she deems necessary.

Timing and Future Cooperation

Rev. Fischer intends to complete her D. Min. course of studies and Ministry Project in order to graduate in May of 2020. That being said, Hartford Seminary is aware of the indeterminate timeline for the Church A/Church B initiative. Depending on the status of the discussions between the two churches, Rev. Fischer is granted access to the ongoing project data, consistent with the terms above, subsequent to May 2020 to add any addendums necessary to provide a full-orbed analysis of the Ministry Project.

Signed this day of , 2018

Rev. Sandra L. Fischer

for Church A

for Church B

APPENDIX (2) CHURCH SURVEY EXAMPLE

Church Survey. This moment provides an important opportunity for us all to share together in assessing who we are and where we see ourselves going.

This survey is designed to assist in this task. This survey was developed by the Hartford Institute for Religion Research at Hartford Seminary in Connecticut (www.hartfordinstitute.org).

The survey not only asks several sets of questions about our church's current ministry and your own involvement, but also seeks your input on our congregation's dynamics and your vision for our future.

Completing this survey ensures that your views have been heard and it will give us a baseline from which to measure whether we are moving in directions that we think are important. We ask that each member of your household over the age of 15 complete the survey.

You may complete this survey online at this website or on paper. If you choose to fill out the survey online, please try to complete it in one sitting. However, if you are disconnected or are otherwise interrupted, you won't lose any of this information as it is automatically saved. To complete the survey, you can finish by opening a new questionnaire and then page forward to pick up the survey where you left off.

If you complete the paper survey please return it to the church so that your responses can be entered into the computer. This survey will take approximately 15 to 20 minutes to complete.

It is important that everyone participates in this survey!

Your responses are anonymous. Thank you for your cooperation. We hope you enjoy filling out the questionnaire and that in addition to assisting our church, you find this process helpful in reflecting on your faith, the meaning of your church experience, and your hopes for the future.

If you have any questions about the survey, please contact the church.

Your Church Participation

1. Are you currently a member of our church?

Yes

No, but I'm in the process of becoming a member

No, but I regularly participate here

No

2. How long have you been attending worship services or activities at the congregation?

Less than one year

1 - 2 years

3 - 5 years

6 - 10 years

11 - 20 years

More than 20 years

If you came from a non-UCC church, what denomination was it?

3. Before you started coming to this congregation were you participating in another church?

No, I've been coming here for most or all of my life

No, before coming here I hadn't attended church regularly for several years

No, before coming here I had never attended church regularly

Yes, immediately prior to coming here I participated in another UCC church

Yes, immediately prior to coming here I was involved in another church of a different denomination

Yes, but I had moved into the area and was looking for a new church

4. On the average, about how many times have you attended church worship during the past year?

Hardly ever or only on special occasions

Less than once a month

About once a month

About two or three times a month

Usually every week

More than once a week

5. In how many organizations, committees, and groups in our church are you active?

None One Two Three Four or more

6. Do you currently have any of the following leadership roles here? (Mark all that apply)

Member of the governing board

Member of a congregational committee or task force

Leading or assisting in worship

Officer or leader of men's, women's, youth or other group

Church school or adult education teacher

Member of mission group or service committee

None

Other (please specify)

7. Are you regularly involved in any of the following group activities at this church?

(mark all that apply)

Church school or adult education

Prayer, spiritual discussion or Bible study

Fellowships, clubs or other social groups

Community service or social justice groups

Choir member, musician or choir director

Support or recovery groups

Other small group type activities

I am not regularly involved in parish group activities

8. Has your involvement in our church increased, decreased, or remained about the same in the last two years?

Increased Decreased Remained the same

8a. If your participation has INCREASED, which of the following are reasons for that?
(check all that apply):

More time available

Because of children

Accepted office or other responsibility in the church

Better health

Stronger faith

More positive attitude toward the church

Other (please specify)

8b. If your participation has DECREASED, which of the following are reasons for that?
(check all that apply):

Less time available

Because of children

Given up office or other responsibility in the church

Health problems

Decreased faith

More negative attitude toward our church

Other (please specify)

9. How many of your closest friends attend this church? None One Two Three Four or more

Tasks of the Church--please rank on following scale:

Needs More Emphasis, Very Satisfied, Generally Satisfied, Receives Too Much Emphasis

1. Offering worship that provides a meaningful experience of God and the Christian tradition
2. Providing worship that expresses the Gospel in contemporary language and forms
3. Providing Christian education and activities for children and youth
4. Providing Christian education and activities for young adults
5. Providing Christian education and activities for adults
6. Helping members deepen their personal, spiritual relationship with God
7. Sharing the good news of the Gospel with the unchurched
8. Engaging in acts of charity and service to persons in need
9. Encouraging members to act on the relationship of the Christian faith to social, political, and economic issues
10. Providing a caring ministry for the sick, shut-ins and the bereaved
11. Providing pastoral counseling to help members deal with personal problems
12. Providing fellowship opportunities for members
13. Helping members understand their use of money, time and talents as expressions of Christian stewardship
14. Supporting the global mission of the church/denomination
15. Helping members discover their own gifts for ministry and service
16. Participating in activities and programs with other local religious groups

17. Expressing our denominational heritage and tradition
18. Taking good care of the church building and grounds
19. Making sure our congregational ministry is vital into the future

Listed below are a number of tasks that a local church is likely to perform. Please respond to each item by indicating whether you feel your church needs to give it more emphasis; whether you are very or generally satisfied with its current performance of the task; or whether you feel the task currently receives too much emphasis. For the sake of your own personal involvement in your congregation, which ONE task would you most like to see strengthened?

Organizational Characteristics--please rank on the following scale:
Strongly Agree, Agree, Disagree, Strongly Disagree, Don't Know

1. Members are well informed about what the various committees and groups in the church are doing.
2. The activities taking place in the congregation are well publicized to the surrounding community.
3. Study of the needs of the congregation and the community is regularly undertaken as the basis for church planning.
4. Members and groups get a lot of support and encouragement for trying something new in the congregation.
5. Members are encouraged to discover their particular gifts for ministry and service.
6. Lay leaders are provided the training they need for their committee and task assignments.
7. Every member who is capable and interested has an equal opportunity to hold key leadership positions.
8. The theological and biblical implications of important decisions are regularly discussed.
9. Important decisions about the life of the church are rarely made without open discussion by church leaders and members.
10. Disagreements and conflicts are dealt with openly rather than hushed up or hidden behind closed doors.
11. It is easy to summarize for visitors and non-members how our congregation differs from other congregations in the area.
12. Members help each other out in times of trouble.
13. Congregational leaders adequately acknowledge and thank our volunteers for their hard work.
14. The current morale of our church membership is high.
15. There are several groups in our congregation that sometimes are at odds with each other.
16. There is a sense of excitement among members about our church's future.
17. Our congregation is well known and respected in the community.
18. The voices of all members are honored and respected.
19. The ministry to our members should be maintained even if it means spending all our savings/endowment.

In order to carry out its tasks, every church must deal with certain organizational issues, such as those listed below to make decisions, share information, and develop resources. To what extent do you agree or disagree that each statement describes your church? A "Don't Know" response is provided, but please use it only when absolutely necessary.

Congregational Identity--please rank on the following scale:

Strongly Agree, Agree, Neutral or Unsure, Disagree, Strongly Disagree

1. Our church's identity, as it is, is one with which I feel comfortable.
2. It is easy for me to tell my friends what is special about our church.
3. I have a clear understanding of what our church stands for.
4. An effective effort was made to instruct me in our church's mission.
5. I have a strong sense of belonging to this congregation.
6. Being at this church has made a difference in my spiritual life.
7. This congregation is always ready to try something new.
8. In general there is a good match between the congregation and our pastor.
9. Our congregation is open to and welcoming of visitors.
10. Our congregation has a clear sense of purpose and mission.

All congregations have an identity, or a sense of who they are, that all members share in and yet any individual member stands somewhat apart from. Please rate your agreement or disagreement with the following statements from your perspective as an individual looking at your congregation's overall identity and vision.

Please rank on the following scale: Strongly Agree, Agree, Neutral or Unsure, Disagree, Strongly Disagree

1. My experience is that we are a friendly and welcoming church.
 2. Sometimes I find myself avoiding talking to guests and members I do not know well.
 3. I would like more information on how I can better respond to guests and members I do not know well.
 4. In the past year I have invited a friend or acquaintance to attend worship or other church activities.
 5. I would be willing to get more involved in the greeting efforts of our congregation.
 6. I think we must change as a church if we are to be relevant to newer generations.
 7. The minister should periodically address current social issues during worship.
- Please rate your agreement or disagreement with the following statements.

Worship and Education-- Please rank on the following scale:

Very Satisfied, Satisfied, Dissatisfied, Very Dissatisfied

1. The music (choir, anthems, and instrumentals) during Sunday worship
2. The congregation's Sunday worship, other than the music
3. The way your spiritual needs are being met in the worship service

4. The opportunities for involvement in leading aspects of worship (prayers, reading, announcements)
5. The use of technology in worship (sound, video, recorded music, projection screens)

Please identify to what extent you are satisfied with the following aspects of your church:

For me personally, I would prefer our worship to be:

More informal and contemporary than currently

More traditional and formal than currently

About the same as it is now

Feel free to share any other comments you might have about worship in the space below.

How satisfied are you with the following aspects of our **Christian Education Program**:

Very Satisfied, Satisfied, Dissatisfied, Very Dissatisfied, Don't Know

Children's program (0 - 5th grade)

Youth program (6th - 12th grade)

Adult program

Evening and weekend programming

Community service and mission trip opportunities

The number of persons who participate in our education programming

Please share any comments you may have about our education program in the space below.

Religious Beliefs and Personal Practices

Which of the following terms most closely describes your current stand on

Biblical/theological issues? Very conservative, Conservative, Right in the middle,

Liberal, Very liberal

None of these; I describe it like this... (please specify)

Please rank of the following scale: Strongly Agree, Agree, Neutral or Unsure, Disagree, Strongly Disagree

1. Church involvement is central to a life of faith.
2. I have a strong spiritual commitment.
3. It is often difficult to live out my faith in daily work, leisure and community life.
4. My faith is important in my everyday life.
5. All religions are equally good ways of helping a person find ultimate truth.
6. I am very satisfied with my spiritual life.
7. My faith life would suffer greatly if I were not part of this church.

Please rate your agreement or disagreement with the following belief statements.

Please rate how often you engage in the following practices: Daily, Few times a week, Once a week, Few times a month, Seldom or never

1. How often do you spend time in private devotional activities such as prayer, meditation, reading the Bible or other spiritual books?
2. How often do you use email?
3. How often do you go on Facebook?
4. How often do you volunteer your time in social service outside our church?
5. How often do you look at your congregation's website or Facebook page?
6. How often do you visit other churches for worship, special events or groups?

In thinking about what **ORIGINALLY** attracted you to **this congregation**, select from the list below those reasons that best match your reasons for coming. You may select more than one.

The church's location
The minister(s)
My friends are here
The church's reputation
The friendliness and hospitality of members
Adult education programs
Child and youth programs
The music
The social outreach ministries
The worship experience
The self-help groups
The denominational ties
It had programs I could be involved in
My family was here

In thinking about **what NOW keeps you at this congregation**, select from the list below those reasons that best match your reasons for staying. You may select more than one.

The church's location
The minister(s)
My friends are here
The church's reputation
The friendliness and hospitality of members
Adult education programs
Child and youth programs
The music
The social outreach ministries
The worship experience
The self-help groups
The denominational ties
It had programs I could be involved in
My family was here

Church Vitality, Collaboration and Future Viability--please rank on the following scale:

Strongly Agree, Agree, Neutral or Unsure, Disagree, Strongly Disagree

1. Offering joint worship events or services with other church(es).
2. Renting out the building spaces and/or offices to other faith groups.
3. Joining with one or several other churches to function as a single church but each retaining their own buildings.
4. Sharing one or several staff persons (secretary, sexton, youth leader) with another church.
5. Joining with other church(es) to provide needed mission activities.
6. Offering joint service or mission trips with other church(es)
7. Sharing a clergy person with another church for preaching or pastoral care.
8. Being willing to leave the church properties but still have a presence in the community.
9. Partnering with other church(es) to offer services (youth trips, confirmations, VBS) for our children, youth and young adults.
10. Collaborating with other church(es) to host festivals, fairs, music series or community fund raisers.
11. Maintaining the vitality of our church and its mission is more important than staying in our building.
12. Working with other church(es) to provide opportunities and events for adults like book clubs, Bible studies, hobbies and trips.

Being a vital and viable church in this day and age can be a challenge for many congregations. New challenges often call for new approaches and strategies for the future. Please rate your agreement or disagreement with the following statements that describe some of the ways churches work collaboratively with each other.

In thinking about your church's future, which of the following comes closest to describing your sense of its future?

We are thriving and this should continue.

We are doing okay and this should continue.

We are doing okay now, but the future is very uncertain.

We are struggling, but the future clearly looks better.

We are struggling, and that is likely to continue for the foreseeable future.

We are not sure this congregation will survive beyond five years.

Background Information about Yourself

Gender?

Male Female

Other option (please specify)

Your age?

Under 20

20 - 24

25 - 34

35 - 44

45 - 54

55 - 64

65 - 74

75 or over

Your current marital status?

Single, never married

Living in a committed relationship

Married

Widowed

Separated

Divorced

Which best describes your current household?

One person living alone

A couple without children

One adult with child/children

Two or more adults with child/children

Several adults living in the same household

Are you?

Retired

Employed full time

Employed part time

Not currently employed

Full time "house person"

Student

If you currently are employed, what is your approximate commute time to work?

5 minutes or less

6 - 10 minutes

11 - 15 minutes

16 - 30 minutes

31 - 44 minutes

45 or more minutes

What significant life events has your family celebrated at the church (baptisms, weddings, funerals, etc.)?

How many years have you lived in this general area?

One year or less

2 - 4 years

5 - 9 years

10 - 19 years

20 or more years

How likely is it that you might move out of this general area within the next few years?

Definitely will move

Probably will move

Might move (50/50)

Probably will not move

Very unlikely to move

A Few Final Thoughts

From your perspective, what is the greatest asset this church has?

In your opinion, what is the most significant challenge for the church to overcome in order to grow and be spiritually vital into the future?

Now that you have spent this time reflecting on the church's present situation, think for a bit about your vision for the church's future. Please take a few final moments and describe your hope for the congregation's future. What are your dreams and wishes for the church over the next 5 to 10 years?

Thank you for taking the time to complete this survey. We appreciate the time and thought you have given to it.

APPENDIX (3) DUE DILIGENCE CHECKLIST

<u>Item Description</u>	<u>Provided</u>	<u>Notes/Comments</u>
Legal		
• Articles of Incorporation and any amendments		
• Church Council Mtg minutes		
• Bylaws		
Financial		
• Annual financial statements for the past 5 years		
• Current interim financial statements		
• Any communication from auditors over past three years		
• Current budget		
• Detailed listings of <ul style="list-style-type: none">○ equipment○ inventory○ receivables○ payables○ real estate		
• General ledger		
• Listing of any liens or mortgages covering the church's assets		
• Listing of all endowments and investments		
• Description of accounting policies and procedures		
• Name of accounting software		
• Listing of top 5 vendors		
• Copies of supplier agreements		
Personnel		
• Employment agreements		
• A description of all employee problems within the last three years, including alleged wrongful		

termination, harassment, and discrimination

- Personnel handbook and schedule of all employee benefits and holiday, vacation, and sick leave policies.
- Employee listing including
 - positions
 - salaries
 - bonuses for past 3 years
 - years of service
 - resumes of key employees
- Job descriptions of all key employees

Environmental

- A list identifying and describing any environmental litigation and investigations
- A list identifying and describing any contingent environmental liabilities or continuing indemnification obligations.

Taxes

- Federal, state, local tax returns for the last three years.
- Any audit and revenue agency reports
- Any tax settlement documents for the last three years
- Employment tax filing for past three years
- Any tax liens
- Listing of state and federal ID numbers and employer ID numbers for payroll and sales tax filings

Material Contracts

- All loan agreements, bank financing arrangements, line of credit, or promissory notes to which the Church is a party
- A copy of all lease agreements
- A copy of all rental agreements
- All security agreements, mortgages, indentures, collateral pledges and similar agreements
- All other material contracts

Congregation overview

- Listing of church membership
- Listing of weekly worship attendance
- Listing of significant ministries
- Listing of number of children in youth programs
- Listing of boards/committees
- A copy of safe church policy

Litigation

- A schedule of all pending litigation
- A description of any threatened litigation
- Copies of insurance policies possibly providing coverage as to pending or threatened litigation
- A list of unsatisfied judgments
- A description of potential litigation threat

Insurance

- A schedule and copies of the church's general liability, personal and real property worker's compensation and other insurance
- A description of worker's compensation claim history
- A schedule of the Company's insurance claims history for the past three years

Professional Services

- A schedule of all law firms, accounting firms, IT firms, consulting firms, insurance agencies and similar professional engaged by the Company during the past five years.

Culture/Competencies/Future

- Are the advantages of merger greater than the advantages of remaining separate entities? ie: will the two entities clearly be "better together."
- Are there special circumstances or unique factors that make this an opportune time to merge?
- Are there clear deal-breakers on either side? (location, signature ministries, money ethic)
- Is either organization unwilling to change its culture?
- From where does support for a merger emanate? Is there broad-based support or only from a segment of the membership or leadership?
- Are there unrealistic expectations about fairness? (staffing, building, committee seats)
- Where is opposition likely to emerge and can consensus be built?

- What is the realistic timeline for decision making? (This is of particular concern in the UCC polity in which congregational vote is necessary for a decision of this magnitude).
- Are there substantial risks facing either organization?
- What is the fiscal cost?

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